

SANDY POINT HOMEOWNERS MANUAL



The ***Sandy Point Homeowners Manual*** is provided to give Owners and Residents a single source for a common understanding of Sandy Point's covenants and by-laws, as well as the policies, rules and regulations that have been promulgated over time. As neighbors in a shared ownership community, we depend on each other to know and follow the rules and regulations. Residents are asked to keep all members of their household knowledgeable of these contents to prevent potential misunderstanding of Sandy Point's rules and procedures. The master copy of the ***Sandy Point Homeowners Manual*** is periodically reviewed by the Board of Directors and the most current version is maintained on the SP Website. You may view or print a copy of Sandy Point Documents or Forms at your leisure, simply go to: <http://www.sandypointcondos.com> then click on the ***Sandy Point Forms***, or ***Sandy Point Legal Doc's*** tab.

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DOCUMENT REVIEW AND APPROVAL

Version Number	Date Published	Changes
Version 2013.02	June 27, 2013	
Version 2015.01	June 15, 2015	
Version 2016.01	August 10, 2016	<p>Cover Page – Update purpose of Homeowners Manual. 24x7 access to Homeowners Manual on SP Website</p> <p>Pg. 1 – Document Review and Approval Sheet</p> <p>Pg. 25 – New Assessment value for Wildlife area.</p> <p>Pg. 27 New Master Insurance Policy information</p> <p>Pg. 28– Parking Rules clarifications</p> <p>Pg. 30 – Exception to Garage Sale policy for Estate Sales</p> <p>Pg. 30–31 – Control of Pets</p> <p>Pg. 34 – Republic Trash Service - Contact info</p> <p>Pg. 39 – Mandatory Documents required for some ACC Requests</p> <p>Pg. 43 – Foundation requirements for new buildings under a roof</p> <p>Pg. 46 – Right for removal of unapproved plantings</p> <p>Pg. 48 – Update Acceptable Trees/Shrubs</p> <p>Pg. 49 – Update Unacceptable Trees</p>
Version 2018.01	Sept 01, 2018	<p>Pg. 7 – Inserted Definitions for Lot, Common Area, and Limited Common Area</p> <p>Pg.12 – Deleted old instructions for Call Center Maintenance Requests Inserted new instructions for non-emergency and emergency maintenance requests</p> <p>Pg. 13 – Reinforced the potential for Personal Injury</p> <p>Pg. 13 – Clarified requirements for approval prior to beginning work on specific items</p> <p>Pg. 15 – Created new table and clarified Association and Owner responsibilities</p> <p>Pgs. 20-21 – Added additional instructions for pool area regarding adult supervision, food trash, and dirty diapers</p> <p>Pg. 24 – Clarified types of non-permissible parked vehicles</p> <p>Pg. 25 – Clarified Crime Watch instructions</p> <p>Pg. 25 – Clarified rules regarding hard fencing and invisible fencing</p>

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		<p>Pg. 26 – Clarified rules regarding the tethering of pets outdoors, and cleanup of pet waste</p> <p>Pg. 27 – Clarified instructions for Spring Cleanup</p> <p>Pg. 27 – Clarified Sandy Point responsibilities regarding debris cleanup</p> <p>Pg. 28 – Clarified instructions for new weekly pickup of bagged trash and heavy items by DPW</p> <p>Pg. 33 – Clarified instructions regarding color and the painting of exterior doors and garage doors</p> <p>Pg. 35 – Clarified the list acceptable materials for decks and deck railings</p> <p>Pg. 37 – Removed all references to adopted areas, and clarified responsibility for berms</p> <p>Pg. 38 – Clarified responsibility for trees and shrubs in Common Areas</p> <p>Pg. 38 – Added instructions regarding the minimum distance between foliage and structures</p>
Version 2018.02	Nov 01, 2018	Pg. 11 – Update and Clarified Sandy Point HOA Payment instruction
Version 2020.01	Jan 10, 2020	<p>Pg. 7 - Clarified terms Common Area and Limited Common Area</p> <p>Pg. 19 - Added pickle ball to tennis court amenities</p> <p>Pg. 21 – Changed boat storage access directions and annual fee</p> <p>Pg. 28 – Added information regarding use of sand on snow covered driveways and walkways</p> <p>Pg. 29 – Clarified instructions for storage of trash/recycling containers</p> <p>Pg. 35 – Added information about solar energy systems</p> <p>Pg. 36 – Changed term privacy fences to privacy screens</p> <p>Pg. 36 – Clarified requirements for all fences</p> <p>Pg. 36- Added instructions about provision of space when installing or repairing walkways</p> <p>Pg. 38 – Added information about installation of irrigation systems</p> <p>Pg. 39- Added information about homeowner planting of new trees</p> <p>Pg. 40 – Added information about accent and path lighting</p> <p>Pg. 40 – Added information about free-standing flag poles</p>
Version 2021.01	May 12, 2021	<p>Pg. 8 - Updated title of Communications Committee</p> <p>Pg. 21 – Added kayak storage to boat storage area</p> <p>Pg. 39 – Added information about honeysuckle control</p> <p>Pg. 40 – Added information about irrigation system installation</p>

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OVERVIEW AND INTRODUCTION TO SANDY POINT

Welcome to Sandy Point! Our community is an outstanding residential area with a total of 139 single-family home sites. Each registered Owner in Sandy Point holds legal title to the Lot directly under their Dwelling. In addition, they share equally the Common Area property as described in the plat recorded and filed with the Marion County Recorder's Office. Each Owner of a Dwelling by virtue of such ownership is a Member of the Sandy Point Homeowners Association. Owner Membership entitles one (1) vote for each Dwelling. Therefore, the maximum total votes that can be cast with respect to any issue requiring a vote of the Members in accordance with the **SP Documents** is 139. Rental residents are not members of the HOA and do not have voting privileges.

Sandy Point residents and their guests enjoy many recreational amenities that include a swimming pool with a bathhouse, a fenced tennis area with two courts lined for tennis and pickle ball, a boat storage area with controlled access and a private boat-launch ramp that gives access to a large natural lake and the White River. Each person living as a full-time resident of a Dwelling in Sandy Point, including rental residents, is extended use of the recreational amenities and Common Areas subject to the policies, rules and regulations of the Sandy Point HOA and the **SP Documents**.

A 31.04 acre portion of Sandy Point's Common Area has been set aside and is officially recognized by the State of Indiana, Department of Natural Resource as an **Indiana Classified Forest and Wildland Area**. This area is dedicated and named to honor Owen Meharg, an original SP owner who worked tirelessly to gain recognition for this area by the State of Indiana. Residents now have an opportunity to share in the natural beauty of a wildlife habitat with reduced property tax liabilities.

Sandy Point Inc., commonly known as Sandy Point Homeowners Association (SP HOA), was created as a *Not for Profit Corporation* on April 16, 1984 for the sole purpose of providing the maintenance and repair of the exteriors only of the Owners Dwellings, and for the administration, operation, maintenance and repair of all Common Areas and recreational amenities.

The HOA established, and continuously maintains, a written legal covenant with all registered owners that was formalized by filing the following documents with the Marion County Recorder's Office:

- a. *The Articles of Incorporation*
- b. *A Declaration of Covenants, Conditions and Restrictions*
- c. *Bylaws of Sandy Point, Inc.*

As a Sandy Point Owner, or rental resident, you are protected by and governed according to the policies, rules and regulations in these documents. For practical purposes when reading this Homeowners Manual reference to any of the above legal documents will be referred to as **SP Documents**.

Because Sandy Point, Inc. is a *Not for Profit Corporation* it is required to file an annual tax statement. However, it is only required to pay income taxes on any interest earned by the reserve fund investments.

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DEFINITIONS

In the *Sandy POINT Homeowners Manual*, the terms Lot, Common Area and Limited Common Area are frequently used. These simple definitions may help your understanding.

LOT

Lot shall mean the real estate that contains a single family residential dwelling. Each Lot shall contain an area which exceeds the exterior face of the foundation wall dimensions of the structure one (1) inch; and shall include the Lot's side of one-half (1/2) of any party wall dividing a dwelling structure on a Lot from any other dwelling structure or Lot.

COMMON AREA

Common Area refers to all real estate (including improvements thereto) owned by Sandy Point HOA for the common use and enjoyment of the Owners. The only portion of Sandy Point that is not considered Common Area is an Owner's dwelling and one inch around the foundation of the dwelling..

LIMITED COMMON AREA

Limited Common Area refers to all real estate (including improvements thereto) owned by Sandy Point HOA, which has been granted for usage to individual Owners. This land will be restricted to the Lot appurtenant. This pertains to decks, patio areas, foundation plantings, trees, paths, stairways, walkways to stairways and docks. These Limited Common Areas sit on Sandy Point real estate, but are the responsibility of the Owners to maintain. This maintenance responsibility passes from owner to owner. In most cases, additions or changes to any of these items must be approved by the Ground-Landscape Committee and/or the Architectural Control Committee.

MANAGEMENT OF SANDY POINT

SANDY POINT BOARD OF DIRECTORS

Sandy Point, Inc. is governed by a Board of Directors as stipulated in the *SP Documents*. The elected members of the Board are responsible for management and administration of the policies, rules and regulations.

The Board of Directors consists of nine (9) Owner-members. The term of office for an elected Board member is three (3) years. Three (3) Board members are elected on a rotating basis by vote of the Membership at the *Annual Homeowners Meeting* each year. The elected Board members select from their body the individuals who will serve as the Officers of the Board of Directors. The officers of the HOA shall be a president and vice-president, a secretary, and a treasurer. The remaining five (5) members of the Board serve at-large. All Board members serve on a voluntary basis and no member receives any remuneration for serving on the Board.

SANDY POINT PROPERTY MANAGER

Sandy Point is a self-managed property. A full time professional Property Manager is contracted by Sandy Point, Inc. to handle the day-to-day operations and administrative duties of the Sandy Point HOA. This includes receiving payments of HOA dues and fees, maintaining the accounting and financial records for all accounts, and making payment of authorized invoices for services. The Property Manager also provides general oversight and

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supervision of the maintenance and repairs of Sandy Point's Dwellings, common facilities and Common Areas. This includes management of permits and licenses required by Indianapolis Department of Code Enforcement for HOA initiated projects. The Property Manager provides advice as needed to the Board members or residents relating to best practices for residential communities.

Contact information for the Resident SP Property Manager is:

Jerri Guinn - Sandy Point HOA
8077 River Bay Drive East, Indianapolis, IN 46240
Telephone: 317-910-0336 - - E-mail: spmgr@sandypointcondos.com

Office Hours are: Monday through Friday, 8:00am to 5:00pm.

BOARD OF DIRECTORS MEETINGS

The Board of Directors conducts operational management of Sandy Point during regularly scheduled meetings. The time and date of meetings is determined by each board to accommodate its members' schedules. The location for scheduled Board meetings is usually at one of the elected Board member's home.

Homeowners are welcome to attend a scheduled Board meeting. However, due to extremely limited meeting space in the homes of Board members, residents are asked to advise the Sandy Point Property Manager or a Board member in advance of their intention to attend a meeting. You are asked to limit comments to no more than five minutes at the beginning of the meeting. Items that require more time than five minutes, or will involve in-depth discussions, must be scheduled in advance to allow sufficient time. To have an item placed on the agenda, contact the Sandy Point Property Manager or one of the Board officers as far in advance as possible, but please give at least one week notice prior to a scheduled Board meeting.

SANDY POINT COMMITTEES

The *SP Documents* require the appointment of an **Architectural Control Committee**. However, other committees may be appointed from time to time as deemed necessary or appropriate by the Board of Directors in carrying out specific duties or purposes.

By actual practice and custom developed over the history of our community, the regular and on-going Sandy Point committees established by the Board of Directors are:

- Architectural Control Committee
- Building Committee
- Grounds-Landscape Committee
- Communications Committee
- Finance Committee
- Nominating Committee
- Crime Watch Committee

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SANDY POINT COMMITTEES – ROLES AND RESPONSIBILITIES

The roles and responsibilities of each of the on-going committees listed above have been documented and approved by a resolution of the Board of Directors. A current copy of the *Committee Roles and Responsibilities* is available on the Sandy Point website.

SANDY POINT HOMEOWNERS ASSOCIATION ANNUAL MEETING

Each Owner Member has an opportunity to actively participate in the management of Sandy Point. The requirement for an *Annual Meeting of the Sandy Point HOA Membership* is laid out in the **SP Documents**. The Annual Homeowners meeting is traditionally held on or about the fourth Thursday in October.

The Annual Homeowners Meeting, and/or any Special Meeting that requires attendance by the HOA Membership, will take place in a public place arranged by the Board of Directors. A notice of the meeting date, the time and place, and an agenda of items to be discussed will be mailed to every Owner as required in the **SP Documents** prior to the meeting. A proxy certificate is also included with the formal notice of the meeting that allows Members, who will not be able to attend, to cast their vote on any issue(s) that require a vote of the membership.

A slate of at least three (3) candidates for election as a representative on the Board of Directors is also announced in the notice for the Annual Meeting by the Nominating Committee. Owners who will be absent from the Annual Homeowners Meeting may select their choice for new Board members by means of a proxy, allowing one (1) vote each for up to three candidates.

TRANSPARENCY OF MEETINGS

To maintain full transparency of the actions of the Board of Directors the approved minutes of the last two meetings of the Board of Directors are published on the Sandy Point website.

The minutes of the Annual Homeowners Meeting and any Special Homeowners Meetings conducted for the General Membership reflect the actions of the Membership and these minutes will also be posted on the Sandy Point website for up to one year.

The minutes of past Board meetings, Annual Meetings or any Special Homeowners Meetings are available through the SP Property Manager and can be viewed upon request.

ENFORCEMENT OF COVENANTS AND BYLAWS

Any person that occupies a Dwelling in Sandy Point, or uses any part of the recreational amenities or Common Area, as well as their guests, are subject to the policies, rules, restrictions and conditions set forth in the **SP Documents**. This includes all actions and/or resolutions promulgated by the Board of Directors of Sandy Point HOA. Therefore, each new Owner is provided a copy of the **SP Documents** as soon as possible after contract closing. Rental residents are given a copy when they move-in.

From time to time, the elected members of the Board of Directors may be asked to render interpretations for certain rules, restrictions, or regulations within the **SP Documents**. Authority for such action is given to the Board members by Article VII, Section 1 of the SP Bylaws. The Board will carefully weigh, discuss, and

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thoughtfully consider, through a democratic process, any decision and course of action to be taken. The interpretive rulings and any resulting resolutions subsequently approved by the Board of Directors are announced immediately to the membership by SP e-mail, and in the *Sandy Point Newsletter*. The changes are also published in the ***Sandy Point Homeowners Manual*** and become a part of the total body of Sandy Point's policies, rules and regulations and carry the same weight as the ***SP Documents***.

The most current version of the ***Sandy Point Homeowners Manual*** and copies of the ***SP Documents*** are maintained on the Sandy Point website and are thereby available at all times to Owner Members and tenants. It is important that all the individuals of each household take time to periodically review the contents of the *Sandy Point Homeowners Manual* and all of the ***SP Documents*** to insure there are no questions about the rules and regulations and the expectations to comply with them.

REPORTING INFRACTIONS

As neighbors in a shared ownership community we depend on each other to know and follow the rules and regulations. It has been Sandy Point's experience that a majority of the time the rules and regulations are followed and there is harmony. However, there have been a few instances when rules are not observed.

The Board members and the General Membership are not the police, and no one is asked, nor is anyone expected, to patrol the community looking for infractions. In general, the philosophy adopted by a majority of residents is to be respectful of each other, follow the published rules, and live and let live. However, input from residents is an important part of how the Board of Directors become aware of and subsequently may respond to potential infractions within the community.

If you see what you believe to be an infraction of Sandy Point policies, rules or regulations that is creating a **serious safety issue**, or is something that **significantly impacts the harmony of the community**, you are asked to put the specifics in writing, sign the document and give it to one of the elected Board members or to the Sandy Point Property Manager. Receipt of written complaints will be recorded by the SP Property Manager. Upon receipt of a second (or more) written complaint about the same infraction from other homeowners, preferably from homeowners that are directly affected by the circumstance of the infraction, the Board would then have sufficient reason to react to the complaint.

MONTHLY HOMEOWNER ASSOCIATION DUES AND SPECIAL ASSESSMENTS

Monthly HOA dues are used for maintenance of the exterior of individual Dwellings, for the Common Areas, and for the operation and maintenance of the recreational amenities. HOA dues and assessments are approved by the Board of Directors in accordance with provisions of the ***SP Documents***. Special Assessments, if required, are used for Capital Improvements.

1. An operating budget for each calendar year is prepared by a Finance Committee and presented for review and approval by the Board of Directors. The approved budget is presented to the Owner Membership at the Annual Homeowners Meeting. The amount of the monthly HOA dues and any Special Assessment is announced at the Annual Homeowners Meeting.

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2. Starting with the 2009 Budget year, the Sandy Point Budget Committee will assure that an annualized accrual amount for each of the expense items identified as a *Long Range Reserve Expense Item* is included in each annual budget to be collected as part of the monthly HOA fee. All amounts collected from these Long Range Expense items will be accrued in the SP Operational Account until they are transferred by direction of the Sandy Point Treasurer to a Reserve Fund Account at the end of each calendar quarter.

HOA DUES PAYMENTS

The monthly HOA dues and/or any approved Special Assessment payments are due on the 10th calendar day of each month.

Sandy Point Homeowners Association utilizes automatic deposit of monthly association dues and/or Special Assessment fees to the Associations operating account. Monthly dues and/or Special Assessments are automatically withdrawn from the checking or savings account designated by the Owner on the 10th calendar day of each month. Arrangements are made with the SP Property Manager to authorize the initiation of the automatic payment process.

DELINQUENT DUES LATE FEE ASSESSMENT POLICY

Any monthly HOA dues or Special Assessment payment that is not received and processed by the 10th calendar day of the month in which it is due will result in an administrative late fee charge of \$25.00.

The Sandy Point Treasurer receives a Delinquent Payment report from the Property Manager and will send a courtesy reminder to each delinquent Owner by letter or e-mail. If necessary, a second reminder notice will be sent if the delinquent HOA dues or Special Assessment payment is not subsequently received by the 10th calendar day of the next month.

Any monthly HOA dues or Special Assessment payment that becomes sixty (60) days past due will be referred to an attorney for collection and/or filing of a foreclosure lien against the individual property as stipulated in the **SP Documents**.

All collection costs resulting from the Members delinquency including, but not limited to, attorney's fees, bank fees, court costs, and other administrative costs, etc., will be the Member's responsibility and will be added to the past due amount.

RENTAL POLICY

The **SP Documents** were formally amended by the Membership to include Article X, Leasing of Dwellings and Maximum Number of Dwellings Owned.

This amendment establishes a Rental Cap that limits the total number of Dwellings that may be leased or rented at any given time to no more than seven (7) Dwellings and requires prior approval from the SP Board of Directors before an Owner may rent a Dwelling.

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A written request from the Owner of a Dwelling is required that complies with all of the *General Lease Requirements* and other policies, rules and regulations contained in Article X. Requests for approval to rent or

lease a Dwelling must be received and acted upon by the SP Board of Directors prior to actual rental and occupancy by tenants of that property. You can contact the SP Property Manager for additional information.

PROCEDURES FOR MAINTENANCE OF DWELLINGS, COMMON AREAS, AND RECREATIONAL FACILITIES

A number of separate contracts or service agreements are established and maintained by Sandy Point, Inc., with a variety of maintenance contractors or service providers. It is through these companies that the SP HOA's maintenance and repair issues are taken.

The day-to-day supervision of SP HOA maintenance and repairs for individual Dwellings, Common Area, and recreational amenities is a key responsibility of the Sandy Point Property Manager. The responsibilities include prioritization and oversight of work projects, management of required Indianapolis Department of Code Enforcement (DCE) permits for HOA initiated work projects, assistance with procurement of materials and supplies, and for providing guidance on issues or questions about Sandy Point policies and rules for maintaining harmony of the community with assistance from the members of the Architecture, Building and Grounds Committees.

HOW TO MAKE MAINTENANCE REQUESTS

All non-emergency maintenance requests can be called in to 317-910-0336 (Mon-Fri 8 am to 5pm) or emailed to spmgr@sandypointcondos.com.

Emergency requests can be called in to 317-910-0336.

The HOA is responsible for scheduling and making repairs to or replacement of roofs, gutters, downspouts and all exterior building surfaces (including painting) as defined in the ***Maintenance Categories/Responsibility Table***. The costs for HOA maintenance responsibilities are part of the HOA dues, unless the reason for maintenance is due to negligence or other fault of the Owner, a guest, or a resident. You can check the ***Maintenance Categories/ Responsibility Table*** to see if the HOA or the Owner is responsible for a specific maintenance item. The HOA is not responsible for the maintenance or repairs of glass surfaces, doors or windows or items specified as (O) Owner in the ***Maintenance Categories/Responsibility Table***.

OWNER RESPONSIBLE MAINTENANCE

The maintenance responsibilities performed by Owners are an important part of keeping the quality, safety, appearance, and overall value of all properties at the high standards we expect for our homes. Owners should periodically evaluate the status of all maintenance items around your home, including those listed as being the responsibility of the Owner in the ***Maintenance Categories/Responsibility Table***.

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Not keeping repairs up-to-date could result in damage not only to your own home but could also cause personal injury or harm to a neighbor's home or to Common Property. Therefore, a long standing policy stipulates that

Owners are responsible for all costs required for restoration and repair of damages that are clearly caused by a failure of a maintenance item(s) deemed to be the homeowner's responsibility (i.e., damages caused by broken water pipes, damages to interior or exterior areas around window or door frames, or the results of actions causing damage attributed to an owner, resident, or a guest).

INDIANAPOLIS DEPARTMENT OF CODE ENFORCEMENT (DCE) REQUIREMENTS

Starting in mid-year 2014, Indianapolis Department of Code Enforcement (DCE) dramatically increased the requirements for having permits for a wide range of work that is common to most households, including interior renovation projects. There is a requirement by the City that properly licensed contractors/tradesmen perform certain work. In general, DCE permits are required for projects that include drainage, driveway, electrical, heating and cooling, improvement location permits, master plumbing, right of way, sewer lateral connections and structural integrity, and wrecking permits.

It is the Owner's responsibility to determine from Indianapolis DCE whether or not permits are required for any of the projects you are planning. You can call **(317) 327-8700** for information regarding all applicable permits, license requirements and fees for your project. *The Permitting Services Section of the Indianapolis Department of Code Enforcement* is the office that grants permits and license documents.

Owners will be required to submit the appropriate application(s) to DCE accompanied with requested supporting documentation (i.e., project plans, drawings or diagrams, contractor's licenses and/or trade work certifications, etc.). DCE Permits are issued for specified time periods. Therefore, Owners are expected to maintain the issued DCE permit(s) in good standing until work is completed and a final inspection and approvals are given by Indianapolis DCE. Failure to heed permit expiration dates, or to comply with the Code Enforcement permit requirements can result in work stoppage, fines, and additional costs or delays to your project.

Owners may choose to consult with the SP Property Manager with respect to general guidelines on DCE permit requirements, or to ask for comments about contractors or companies that may have provided services in the community. However, it is Sandy Point policy that neither the HOA, nor the SP Property Manager, endorse or recommend any service providers. The HOA/Property Manager cannot act on behalf of Owners with regard to DCE permits. The HOA does not assume any responsibilities for obtaining required DCE permits for Owner projects, or for the outcome or consequences of any work the owner has purchased, commissioned or completed.

The DCE permits are in addition to the Sandy Point ACC approval process, which reviews projects primarily to maintain Sandy Point standards and community harmony. Please note that any exterior work or alterations, including, but not limited to work on doors, windows, storm doors, exterior painting or stain (i.e., choice of colors) of all fences, decks, docks, or repairs to decks or docks, or any room additions must be reviewed and approved **in advance of starting any work** by the Architecture Control Committee. *Architecture Request* forms

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can be obtained from the SP Website, the SP Property Manager, or a member of the Architecture Control Committee.

When any approved Owner responsible work is actually started, the Owner must contact the SP Property Manager to coordinate your project's work efforts to assure that compliance with Sandy Point's standards for environmental harmony and construction quality are maintained.

DISCOVERY OF OWNER RESPONSIBLE HIDDEN DAMAGES DURING HOA MAINTENANCE

An inspection/survey of homes is conducted routinely by the Sandy Point Property Manager, assisted by members of the Buildings and Grounds-Landscape Committees. This inspection is conducted to identify and prioritize maintenance items that are subsequently scheduled and proactively worked on by the HOA.

During the course of conducting HOA maintenance work, hidden damages are frequently found or become apparent. Damages discovered in this manner that are deemed to be the Owner's responsibility to repair will be documented by the Property Manager and reported to the Owner(s) in writing as a courtesy.

Certain types of repairs may be deemed to be critical and could jeopardize safety, or if left unattended, could be the cause of additional damage to internal and/or external structural elements of the home. In such circumstances, the HOA maintenance team will suspend the scope of the work that discovered the damages and will do the minimum maintenance needed to temporarily secure the work site until the Owner's maintenance issues can be taken care of.

Prompt attention by the homeowner(s) is expected to complete comprehensive repairs.

Owners are responsible for obtaining any required Indianapolis Department of Code Enforcement permits.

Separate and apart from actions that may be taken by DCE related to Owner's permits or work inspection results, failure of a homeowner to complete the cited repairs in an agreed, or reasonable period of time could result in the HOA issuing a final written notice to the Owner(s), reaffirming the Owner's on-going financial responsibility to the HOA for resolution of cited maintenance, including consequences and additional costs of delays on HOA DCE permits.

It is in the best interest of the HOA Membership that suspended HOA maintenance work be resumed as soon as feasible. Therefore, in certain circumstances the HOA may be able to reach agreement with the Owner to proceed with a suspended HOA project and make reasonable and practicable repairs of the cited Owner responsible issues (this does not include installation of new or replacement windows or doors). Repair costs of the project that are the Owner's responsibility will be approved by the Owner and added to the Owner's HOA Fees account for billing and collection as allowed by the Sandy Point Covenants and Bylaws.

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MAINTENANCE CATEGORIES/RESPONSIBILITY TABLE

Responsibility Code:

A = HOA O = Owner

Additions	
Rooms	O
Screen on Porches	O
Sun Rooms	O
Asphalt	
Driveways and Public Parking - Replace	A
Driveways – Repair oil leaks/gouges	O
Streets, Driveways and Public Parking – Sealcoating	A
Enclosures	O
Concrete	
Driveways, Sidewalks, and Public Parking – Replace or repair	A
Sidewalks – Power washing, repair of minor cracks and/or color disfigurements	O
Driveways – Repair oil leaks/gouges	O
Garage Floors – Repair, clean and replace	O
Front Porch and Stoops – Replace or repair	A
Concrete Slab/Foundation under Dwellings – Repair or replace	O
Decks	
Repair, replace and maintain	O
Docks and Stairs to Docks	
Repair, replace and maintain (including paint or stain - color to be approved in advance).	O
Electrical	
<u>Interior</u> – Repair and replace	O
<u>Exterior</u> Garage “all night” Sensor - Replace	A

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All Other Exterior Electrical	
Light Bulbs – A volunteer will replace bulbs as needed. If your exterior garage light has burned out, call an Exterior Garage Light Committee Member to have it replaced	A
Light Fixtures - All	O
Electrical Outlets - All	O
Accent and Path Lighting	O
Fences – Paint and Maintenance	
All Fences (including paint or stain - color to be approved in advance).	O
Deck Divider (including paint or stain - color to be approved in advance).	O
Fireplace	
Interior – Fire box, flue liner, grate, screen, damper, gas line, starter, logs	O
Exterior – Siding and chimney cap	A
Front Doors	
Painting	O
Replace and repair	O
Glass – Replace	O
Wash	O
Plastic Trim and Weather Stripping	O
Garage Doors	
Repair and replace	O
Painting – Exterior only Note: Garage doors are included in the normal painting of units when done as an HOA responsibility. Should a garage door be replaced, it is the Owner’s responsibility to initially paint the door to match the trim color or the house color.	A/O
Glass Repair and Replacement	O
Garage Door Openers	
Repair and replace	O
Gutters and Downspouts	
Repair and replace	A
Painting	A
Scheduled Cleaning	A

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Household Mechanicals	
Water Heater, Soft Water Unit, Furnace/Air Conditioner (including duct work and flue pipes inside and outside), Washers and Dryers (including vent and vent cleaning)	O
Portable Solar Systems (approved in advance)	O
Insurance	
SP Master Policy – Covers Dwelling structure, Common Grounds, and Common Facilities – Loss or Damage in excess of \$10,000.00. Limited Liabilities - in the event of a total loss, dwelling structure replacement is limited to the legal description for the Lot found in the original or an amended plat	A
Interior - All	O
Docks, decks, stairways to docks	O
Personal Property, Flood, Personal Liabilities, Additions or modifications	O
Landscaping – Foundation Plants and Limited Common Area	
Trees and Shrubs - Maintain	O
Flowers – Replace, maintain and remove	O
Watering	O
Irrigation System (approved in advance)	O
Weed control - Lawns	A
Mowing - Lawns	A
Developer Trees – Replace and remove	A
Landscaping – Common Areas	
Trees and Shrubs – Replace and maintain	A
Trees and Shrubs - Remove	A
Flowers – Replace, maintain and remove	A
Weed control, fertilize, water and mow	A
Seed as required	A
Locks	
On Homes	O
On Boat Storage, Tennis Court, Swimming Pool, Boat Launch gate	A
Mailboxes	
Painting, repair and replace	A
Newspaper holder	O
Pest Control	
Exterior Damage – Wood-boring bees, Carpenter Ants, termites, and beavers. (Does not include moles, chipmunks, raccoons, squirrels, or other varmints)	A

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Interior Damage – All pests	0
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Plumbing	
Exterior – Hose Bibs and Frozen Pipes <ul style="list-style-type: none"> Note: Please remember to “winterize” outside faucets. Remove all hoses and adapters and turn off water supply if you can 	0
Interior – All pipes and fittings	
Water Mains – up to water meter	A
Roofing	
Repair and replace	A
Roof Leak Damage	
Exterior - All	A
Interior - Limited to area of roof leaks only	
Exterior Ventilation Pipes	0
Siding and Trim	
Painting	A
Repair and replace - (Note: damage caused by Owner’s actions, i.e., landscaping, vines, etc., are the Owner’s responsibility to repair)	A
Skylights	
Repair and replace	0
Clean and wash	0
Snow Removal	
Sidewalks - Paths	0
Streets (+ 3 inches)	A
Driveways (+3 Inches)	A
Street Signs	
Repair, maintain and replace	A
Window Washing	
Interior and Exterior	0
Windows	
Glass – Repair and replace	0
Frames – Repair and replace	0
Screens – Repair and replace	0
Exterior Trim – Replace, repair, paint (Note: The HOA will repair or replace exterior trim beyond the manufacturer’s window installation kit only after any defective windows are replaced. Costs for structural damage caused by defective windows (i.e., damage to siding, wall frame, or interior walls) may be the Owner’s responsibility to repair.)	A

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LANDSCAPING AND LAWN MAINTENANCE

The upkeep of the landscaping in the *Limited Common Area* around each Dwelling is the responsibility of the Owner. Alterations or changes to the landscaping around a Dwelling (except for replanting annuals in existing flower beds) must be approved in advance using a **Grounds-Landscape Request** form found on the SP website or through a Grounds-Landscape Committee member.

Landscaping and Lawn Maintenance responsibilities include periodically cleaning out the old mulch from foundation flower beds and regular trimming and caring for the shrubbery. All shrubs and trees in the *Limited Common Area* adjacent to, or close by individual Dwellings must be regularly trimmed by the resident to maintain a uniform and finished appearance. All plantings, shrubs and trees must be trimmed to leave at least 12 inches minimum clearance between itself and a house wall, roof, or fence to facilitate ease of home maintenance or painting and to protect from rot, mold, etc. No plantings should be touching a building. Plantings beside a garage door need to be trimmed so that house numbers are always visible.

The presence of a rental tenant in a Dwelling does not relieve the Owner of responsibility for landscape and lawn maintenance or for periodic maintenance of Owner responsible structures such as decks, docks, fences, etc. If a tenant fails to maintain the minimum standards listed above, the registered Owner/Lessor will be notified by mail and given 30-days to affect necessary corrections. If the situation does not improve in the allotted time limit the HOA will contract for the required maintenance at the expense of the owner. All such assessments will be added to the account of the Owner and are payable as stipulated in the **Sandy Point Covenants and By-Laws**.

The HOA will maintain all lawn areas to include mowing, fertilization and application of weed control. Homeowners are responsible for watering all of the lawn area adjacent to and/or between Dwellings. Due to the sandy nature of the soil, an inch of water during each watering is sufficient (more will only be wasted). You can place a pan or small dish in the yard to determine how long you must water to attain one inch. Depending on the severity of heat and/or lack of rain, you may need to water your lawn at least one inch every 5-7 days.

It is vital that trees be watered frequently – grass in lawns go dormant if not watered but trees die. If a tree dies because of lack of water, it will be the adjacent homeowner's responsibility for its removal or replacement.

The HOA has installed irrigation systems in many of the public Common Areas and maintains all shrubs, trees and lawn areas that are in public Common Areas not adjacent to a Dwelling. However, if an HOA funded landscape project or new tree(s) are planted in Common Areas that do not have irrigation systems installed, then the closest residents are expected to water these plants or trees until they become established (at least through the first full year). Your cooperation to continue watering on an on-going basis is much appreciated for the beauty of the entire complex.

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RULES / REGULATIONS / PROCEDURES FOR USE AND MAINTENANCE OF COMMONLY-OWNED RECREATIONAL AMENITIES

The commonly owned recreational amenities within Sandy Point include a Boat Storage area, a Boat Launch Ramp, Tennis/Pickle Ball Courts, and the Swimming Pool/Bath House. These amenities are the responsibility of

the HOA to maintain and operate. However, responsible and careful use by Owners and residents is much appreciated.

It is no secret that the successful operation of the recreational amenities is due to the caring of many resident volunteers who, year after year, have taken pride and responsibility for day-to-day managing of these amenities.

KEYS TO RECREATIONAL AMENITIES

The lock for each recreational area, except the Boat Storage lot, uses a common key which may be changed from time to time by the HOA for security reasons. Each Dwelling will be provided one key at the time a lock-change is made. In the event a previous owner neglects to pass the key on to a new resident, a new key will be issued on written request to the Property Manager. If a key is lost there is a \$25.00 fee for replacement.

Please refrain from giving your key to relatives or guests whom you cannot accompany to the pool, boat ramp, or tennis court.

TENNIS/PICKLE BALL COURT RULES AND REGULATIONS

The following rules and regulations are for the common enjoyment of all residents:

- Keep the courts clean. Place trash in the containers provided
- Observe posted signs and do not allow pets or individuals with street shoes or roller blades on the court surfaces
- Player courtesy dictates that you finish your set and release the court after 45 minutes play - if others are waiting
- Remember to lock the courts and the gate leading to the boat launch area after use

SWIMMING POOL POLICY

The swimming pool season is from approximately the 3rd week of May until the 2nd week of September. A resident volunteer opens and closes the pool each day. The pool is maintained by the HOA and there is a contract with a commercial firm to clean the pool and provide the correct balance of required chemicals.

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Remember to be considerate of your fellow pool users. Please don't litter. Place trash in the containers provided, or take your trash with you when you leave. The HOA or the SP Property Manager reserves the right to deny use of the pool to anyone at any time.

SWIMMING POOL RULES AND REGULATIONS

- Pool hours are 9:00am to 9:00pm daily
- The Sandy Point pool is designated a **No Smoking Area**. Smoking or discard of smoking materials is prohibited within 25 feet of the outside perimeter of the bath house or pool fence.
- **A LIFE GUARD IS NOT ON DUTY.** All persons using the pool do so at their own risk.

The HOA and the Property Manager are not responsible for accidents or injuries.

- A resident of Sandy Point must accompany all non-resident guests.
- No children under age 14 in the pool area without adult supervision.
- No diving or running in the pool area
- No pets allowed inside fenced pool area
- All food trash must be carried home
- No glass containers in pool area
- Radios, CD players, boom boxes, etc., are allowed with earphones only – no external speakers
- All babies must wear pool-approved diapers if not “potty trained”
- Diapers must be carried home
- Proper swimming attire is required – no swimming with street clothes in the pool

BOAT STORAGE AREA

The Boat Storage Area is maintained for residents of Sandy Point and this service is not extended or offered to friends, relatives or non-residents. Boat storage permits (a numbered/colored sticker) and a gate code are issued annually. The current storage fee is \$120.00 annually. All watercraft must have a valid Indiana license and registration displayed according to Indiana State laws. The license and registration number will be recorded on the Sandy Point registration form. This will make it easier to identify ownership of items in the storage area.

A kayak rack in the Boat Storage Area is for use by residents. An annual fee of \$15.00 is charged for storage of each kayak, canoe, or paddle board.

The HOA reserves the right to remove any item in storage that is not properly registered in the Sandy Point Boat Storage records, or any item that has been determined to be abandoned and may dispose of such as deemed appropriate by the HOA. The proceeds from the sale of any abandoned items will be placed in the Boat/Kayak Storage account for use toward the maintenance of the Boat Storage Area.

The Boat Storage Area is not actively managed by the SP Property Manager; therefore, ask a boat owner or a Board member about whom to contact if you have questions.

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BOAT STORAGE RULES AND REGULATIONS

The following rules and regulations are for the common enjoyment of all residents:

- Parking spaces in the Boat Storage Area are available on a first-come basis. Please be aware of the recommended plan for parking spaces and try to park your boat and trailer in a manner that will allow for a maximum number of users. This is a community effort and greatly facilitates the most effective use of the limited space in the Boat Storage Area.
- In spring before you decide to remove your boat, please check to see the circumstances of any boats blocking your way. You should be able to contact the boat or watercraft owners to obtain cooperation in getting permission for relocating their boat/trailer.
- Only watercraft items are permitted to be stored in the Boat Storage Area
- The Pre-paid boat storage permit sticker must be displayed on the tongue of the trailer or on the side of the boat if you do not have a trailer
- Each stored watercraft must have the owner's name, address and phone number in plain sight on either the boat or the trailer.
- Trailers are to be stored in the boat storage area during boating season and not parked in Common Areas, Limited Common Areas, or driveways
- Keep the gate to the boat storage area locked at all times
- Each boat owner is responsible for securing their own insurance coverage in case of damage or theft. Remember to remove all valuables and important electronic devices while the boat is in storage. The HOA policy does not cover your boat or trailer
- It is suggested that you remove the license plate from the trailer during the storage period
- Boats stored on blocks will be backed to the fence and those on trailers parked in front to facilitate ease in moving boats.

MISCELLANEOUS POLICIES, RULES and REGULATIONS

PROPERTY TAXES

Sandy Point, Inc., otherwise known as the Sandy Point HOA, **does not** receive a property tax bill or tax assessment statement on the Common Area tax parcels. Therefore, by procedures enacted in 2006-2007 by the State of Indiana, the HOA does not pay property taxes on Common Areas as stipulated in Article IV, Section 11 of the ***SP Documents***.

The total property area in the recorded plat that makes up Sandy Point is sub-divided into 139 individual and separate Lots upon which single-family Dwellings are built. The remainder of the property (approximately 93.88 acres) is considered Common Area that is equally divided amongst the 139 sub-divided and separate Lots with each equal share (approximately 0.675 acres per Lot) being included as

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part of the assessment factors used by the Marion County Assessor's Office in determining the assessed value for each Owner's Lot or Tax Parcel.

In 2016 the Indiana legislature passed Senate Bill 308 which changed the assessment value of land enrolled in the Classified Forest & Wildland Program. The legislation updated the assessment value to \$13.29 per acre, which is the calculated current value of a 1921 dollar based on inflation. The new assessment value takes effect January 1, 2017 for the 2017 tax year and will be payable on tax bills received in 2018. The law also made provisions for an annual adjustment of the assessed value based on inflation, using the CPI Index for All Urban cities.

Sandy Point has 31.04 acres of Common Area enrolled in this program, which is approximately 0.223 acres per Lot.

Payment of property taxes levied by the State of Indiana, Marion County and/or Washington Township against SP Dwellings, including the equal share of Common Area property, is the responsibility of each

individual Owner. The HOA cannot act on your behalf in these matters. Questions pertaining to Property taxes or the assessment of your individual Lot should be directed to:

Marion County Assessor
200 E. Washington, Suite 1360
Indianapolis, IN 46204
Telephone: 317-327-4907

You can also find detailed information about the various homeowner deductions that are available, and the instructions and forms needed for submitting claims on the Marion County website:

www.indy.gov/eGov/County/Auditor/Services/Pages/deduction_guide.aspx

PROPERTY INSURANCE

The HOA maintains a master insurance policy with **Erie Insurance Company** that covers loss or damages to all Dwellings and Common Area facilities with a per claim deductible of \$10,000.00. Earthquake coverage is included but covers only 85% of the replacement value for loss or damage claims due to earthquake. In the event of a catastrophic or total loss, full restoration coverage of each Dwelling structure is limited to only the Lot's property description found in the original, or an amended and properly re-recorded plat. The master policy does not cover any personal contents, interior structural modifications, or any exterior alterations made by the homeowner. Claims against the SP Master policy may only be submitted with approval of the Board of Directors.

The master policy does not include flood insurance. All Dwellings in Sandy Point are currently not in the revised FEMA Flood Zone map and therefore are not required to carry mandatory flood insurance for mortgagors or other legal entities.

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Individual Owners are advised to contact an insurance professional to obtain their own insurance policies to cover personal contents in their homes, and/or for any interior upgrades, modifications or additions and/or any other coverage or personal liabilities. It is important that you remember to check with your personal insurance carrier or agent should you make any changes or do remodeling inside your Dwelling.

Should you need a certificate of HOA insurance for a mortgage holder, or have questions about the Sandy Point Master policy you may directly contact SP's insurance agent:

Ray Insurance Group, 11447 Overlook Drive, Fishers, IN

Agent: Brad Ray, (317) 841-9995

Website: rayinsurancegroup.com

SPEED LIMIT

The speed limit in Sandy Point is **20 MPH** and is clearly posted for all to see.

The roadway in Sandy Point is narrow and winding, and there are no curbside lights or sidewalks, so speeding puts walkers, joggers or others using our roadways at significant risk. You, your family members, your guests and all service providers (UPS, FedEx, Comcast, etc.,) are asked to drive with caution and observe our posted speed limits.

PARKING RULES AND REGULATIONS

The following parking rules and regulations are observed in Sandy Point:

- The Sandy Point Covenants stipulate, *“Ownership of each Lot shall entitle the Owner to the use of one or more parking spaces, in the area of the driveway immediately outside the Lot’s garage, together with the right of ingress and egress in and upon this parking space. This space shall be in addition to the garage space and shall be permanently designated by the HOA for the exclusive use of the Owner of the Lot or his guest or invitee as Limited Common Area.”*
- Additional parking spaces are provided in Common Areas throughout the community for the use of guests or invitees of the Owners. Use of designated Common Area parking space(s) is open to all on a first come basis. Owners/Residents are not prohibited from using Common Area spaces but are asked to limit their use of these areas and be considerate of your neighbors as this is a shared area.
- Parking is not allowed on grassy areas at any time. If spaces in Common Area parking areas are not available, please restrict your guests parking to only one side of the street, thereby leaving the roadway open for emergency vehicles and others to pass freely.

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- HOA Bylaws require that boats and/or trailers cannot be parked in driveways or Common Areas. Boats, boat trailers or watercraft of any type must be stored either in a closed garage or stored in the designated Boat Storage area.
- A temporary exception is made to allow parking a boat, trailer, RV, motor home, or camper in your own driveway, or in one of the designated guest parking areas, for one or two days while cleaning or doing launch prep or storage prep work.
- HOA Bylaws require that no unsightly vehicle, motorcycle, commercial vehicle, trailer truck, camper, RV, motor home, cap truck, house trailer or the like shall be kept on the property except in closed garages.
- Maintenance or repair of automobiles or other vehicles is not allowed in driveways, streets or open locations within Sandy Point unless there is a bona fide emergency that requires some minimal maintenance or repair before the vehicle can be moved or towed to an appropriate location. Such maintenance action would be accommodated only on a one-time basis.

PARKING FOR SERVICE PROVIDER VEHICLES

Please instruct tradesmen or service providers you have arranged or contracted with to park their vehicles either in your driveway or in one of the designated guest parking areas. If it is absolutely necessary to park at the curb, please request the service provider leave sufficient room for passage of emergency vehicles and to be aware of not parking on grassy areas that could damage roadside sprinkler heads, and to place appropriate OSHA warning signs in front and behind the work vehicle.

SANDY POINT CRIME WATCH

Crime Watch Coordinator:

For updates regarding crime related activities or other questions, you should directly contact the Crime Watch Coordinator.

If you suspect there is a Crime in Progress, **Call 911 for IMPD**. For your own safety do not challenge the individual(s) or become directly involved.

To report suspicious activity or non-emergency issues, call IMPD at 311(similar to 911, but for non-emergency calls). Do **not** call the Property Manager or a Board member.

BURNING

The **SP Documents** include a specific rule against burning. This is interpreted to apply to burning of leaves and any trash or debris, especially trash or debris collected during River Bank cleanup. This rule does not apply to outdoor fireplaces or to fire pits that are designed for safely cooking.

Be advised, while Washington Township does not have a specific ordinance against burning, the policy they follow is to respond when a complaint is made to police or other Township officials. They may make a request of the individual to put out the fire, especially if it is creating a smoke nuisance, or safety

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hazard. Failure to comply is an issue with which the police or Township officials deal. The HOA accepts and bears no responsibilities for the actions of individuals in this regard.

GARAGE SALES

Sandy Point organizes a community-wide annual garage sale (usually in June or July) in which participants share the cost of advertising. A Garage Sale Committee member will notify all residents in advance of the date for the next sale and ask for your interest in participating. Garage sales are not permitted at any times other than the day of the annual community-wide sale. An exception to this policy may be granted by making a request of the Board of Directors to accommodate a one-day estate sale in the case of the death of an Owner/Resident.

The day of each sale brings a heightened level of excitement and many visitors and motor vehicles to Sandy Point. Remember, our roadways are narrow, the cars and people are many -- so patience on this day is sometimes necessary.

CONTROL OF PETS

It is the policy of Sandy Point that pet owners are responsible at all times for the actions of their pets. It is required that all pets, including pets of visitors, or all non-residents on Sandy Point property, be maintained on a leash at all times whenever they are outside of a SP Dwelling or a designated hard fenced area (approved by the Architectural Committee) immediately adjacent to a SP Dwelling. Invisible fencing of any type is not allowed.

Pets should never be allowed to roam off leash or uncontrolled on any portion of Sandy Point Common areas.

Sandy Point's pet control policy is subordinate to the laws and ordinances of the State of Indiana, and Marion County/City of Indianapolis, particularly with regard to enforcement and penalties provided by such laws.

- a. Indiana State law requires all pets and domestic animals inside the boundary of a State recognized park or reserve, must be on a leash at all times. The Sandy Point *Indiana Classified Forest and Wildland* is a State recognized area and is subject to this regulation.
- b. Marion County/City of Indianapolis has legal jurisdiction and responsibility to respond to citizen's requests or complaints to deal with aggressive animals, animals running loose, or animals creating a nuisance. This service is provided through the Indianapolis Animal Care and Control Department (IACC).

Individual Sandy Point residents who experience an issue with an animal can contact the **Mayor's Action Center at (317) 327-4622**, 7:30 a.m. - 5:30 p.m., Monday through Friday for information, or to make IACC service requests. For after hour emergencies including sick/injured animals, dangerous and aggressive animals and/or animal attacks in progress, please call **(317) 327-3811**.

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Pet owners are responsible for cleanup of their pet's eliminations in all SP Common Areas. Be polite and considerate of your neighbors; carry a "pooper scooper" or a bag and clean up all solid deposits made by your pet, including those in the Common Areas on either side of the roadway, and/or in the mowed open areas and walkways of the *Indiana Classified Forest and Wildland* area.

If you tether your dog outside in a *Limited Common Area* adjacent to a Dwelling, the pet owner is responsible for prompt pick up the pet's solid waste so health hazards and odors don't become an issue and maintenance workers, or other residents don't have to risk walking in it. Dogs cannot be tethered to trees, storm grates, or in a manner that causes damage to Landscaping.

If formal written complaints are made against Owners that disregard the pet waste cleanup requirement, they will be advised by letter from the Property Manager that they have to affect a cleanup. Failure to comply with the request to clean up the waste will result in the HOA contracting for the removal of solid waste at the owners' expense.

Owners of cats are not exempt from these control rules. Specifically, cats should not be allowed to use a neighbor's plant beds as a litter box.

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DISPLAY OF SIGNS POLICY

Placing any type of signage (i.e., For Sale, For Rent, Sporting Team, or Construction Companies, etc.,) is not permitted on the exterior of any Dwelling or on any lawn. The approved exceptions are noted below:

1. Open House realtor signs are permitted only under the following conditions:
 - During the hours of 9:00am Friday through 6:00pm Sunday
 - A small commercially printed sign measuring no larger than 29 inches by 30 inches may be placed in the yard in front of the advertised Dwelling. A directional sign may be placed at the entrance to Sandy Point. Directional signs other than those at main entrance are permitted only during the hours of the open house
 - All signs must be removed by the realtor or the Owner no later than close of the open house
 - “By Owner” signs are to be professionally printed and conform to the size and placement requirements. Hand lettered signs are not permitted.
 - Information Boxes and any commercial advertising are not permitted.
2. Home Security signs can be discretely placed close to the house. However, they should not be readily visible as one drives through the community.
3. Indiana Code IC 32-21-13 permits the display of political signs on property that may otherwise be subject to restrictive covenants or HOA rules such as what appear in the *Sandy Point Documents*. All property in Sandy Point is owned in common and the display of political signs will be allowed as long as such displays comply with the Indiana State statute and Sandy Point rules:
 - Political signs may be displayed beginning thirty (30) days before and ending five (5) days after the date of the election to which the sign relates. The total number of signs displayed may not exceed 3.
 - Signs must be professionally printed and mounted on wire stands (no hand lettering) and may not be larger than the standard yard sign used by all candidates.
 - All signs must be positioned only in the Common Area adjacent to your home, so they do not unduly interfere with lawn mowing or other Common Area maintenance and services normally provided. Any signs that create a problem for service providers will be immediately moved to another more appropriate location.
 - Individual homeowners are responsible for removing and disposing of all signs in their adjacent Common Areas no later than 5 days following the Election Day. If this does not happen, they will be removed by Sandy Point management.
 - Any signs that appear on your adjacent Common Area without your consent or knowledge may be removed and disposed of at your discretion.

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RIVER AND BANK CLEANUP

A general river bank cleanup is conducted once a year, generally in May or June. This is an annual event and the amount of cleanup work depends on how much flood water and debris *Mother Nature* and the White River bring our way. Our success in controlling a very significant budget item rests on the continued high level of homeowners who maintain their waterfront areas and pick up their trash and debris.

It is Sandy Point policy that pickup of all small branches (those that are less than four feet in length and less than three inches in diameter) as well as all debris (cans, bottles, Styrofoam, etc.) on the beach or shoreline is the responsibility of adjacent homeowners. It is suggested that you periodically rake your section of the beach area, bag smaller branches and bag the debris for deposit in the approved DPW containers for regular curbside trash pickup. **Please do not push trash, debris or smaller branches off your beach area back into the water**, this serves no useful purpose and only moves the eventual cleanup effort to your neighbors.

Sandy Point is only responsible for the removal of downed trees and large branches that obstruct ongoing mowing of common areas, or pose potential property damage, excluding docks, decks, stairways, and walkways. The removal of debris after seasonal flooding will be prioritized based on budget constraints.

SNOW REMOVAL

Snow is removed from the streets, driveways and guest parking lots as soon as possible after at least three (3) inches have accumulated. Snow removal from sidewalks and walkways or paths around your Dwelling is the personal responsibility of the individual homeowners. Use of sand, rather than salt, on driveways and sidewalks is preferred. Please make it easier on the snow removal people by moving your vehicles parked in driveways out of the way of the snow removal operation.

TRASH AND GARBAGE COLLECTION

Trash and garbage collection is normally scheduled on Thursday each week. In weeks when a DPW holiday occurs, trash collection is typically delayed by one day. Curbside trash collection is paid for from your property taxes and the City government regulates what will, or will not be accepted in trash and rules for trash pickup. This service is not managed or controlled by the SP Property Manager. You can call Republic Waste Services Customer Service at **(317) 917-7300** for additional information, or to hear a recorded message on the latest service decisions.

Sandy Point is in one of the automated pickup zones using specialized trucks for pickup. Please use the approved DPW trash container(s). You may place two additional items, either bagged, or items designated as Heavy Trash Items alongside the containers on Trash Day. These will be picked up separate from the automated container pickup, so please take care to place the bagged items or Heavy items far enough away from the DPW containers to not interfere with the automated pickup. Please call the Customer Service number above if you have questions about whether a trash item will be picked up. Do not place trash containers outside until the evening before scheduled collection. However, you

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should try to set items out as early as possible on the morning of collection, as pickup routes start as early as 7:30am. If you are going to be away and still want your trash set out, why not ask a neighbor to

help. Trash and recycling containers need to be stored in the resident's garage after pickup has occurred.

RECYCLING

Curbside recycling is offered by Republic Waste Services, the current City government contractor, for an extra monthly cost to each subscriber. They provide you with a specialized container that can be used for collection of glass, #1 to #7 plastics, aluminum, tin, and steel beverage and food cans, newspapers, cardboard and magazines. A regular curbside pick-up of the specialized container is scheduled every two weeks.

Public recycle sites are also maintained by the City at a variety of locations. The closest collection point to Sandy Point is in the Broad Ripple Park maintenance area parking lot. Use the Evanston Street entrance (located approximately near 63rd St and Evanston Street

SANDY POINT WEBSITE

Sandy Point endeavors to maintain a website that is accessible any time of day or night from any computer with access to the Internet. The Sandy Point website contains information about the HOA and provides a convenient way to access relevant Sandy Point contact information, true copies of the **SP Documents**, and the most current and approved community policies, rules and regulations.

The current and approved versions of *Sandy Point Architectural Control*, *Satellite Antenna Request* and *Grounds-Landscape* request forms are posted on the website, so Owners may easily obtain what they need to submit their projects for approval. Anyone that does not have Internet access can contact a member of the Architecture Control Committee, the Grounds-Landscape Committee, or the Sandy Point Property Manager to obtain these forms.

The Sandy Point website has five separate viewing pages:

- *About Sandy Point*
- *Contact Information*
- *SP Legal Doc's*
- *SP Forms*
- *Residents Only*

The following three viewing pages are not open to the general public and require a User ID and password to access as they contain content that is proprietary or of interest only to Sandy Point residents:

Resident's Only

SP Legal Doc's

SP Forms

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For example, the Resident Directories are maintained in the restricted access *Resident's Only* page. The User ID and password is distributed only to residents and owners and may be changed by the HOA from time to time for security.

You can access the Sandy Point website from any computer with Internet service using the following Internet URL (address): <http://www.sandypointcondos.com>

SANDY POINT E-MAIL DISTRIBUTION

The Sandy Point Webmaster also maintains the Sandy Point e-mail distribution list. Approximately 95% of SP residents currently participate in this program. If you wish to receive an e-mail when updates are made to the website or receive electronic copies of the Newsletter and other relevant SP information, all you have to do is ask to be included.

Send your name, SP home address and your e-mail information to the SP Webmaster at spwebmgr@sandypointcondos.com. Many residents have provided addresses for multiple home accounts (his/hers) or a work e-mail account or a mobile device address – there is no limit to how many addresses you can give. Your e-mail address information is always treated as confidential and is not shared or used other than as outlined above.

Periodically, the SP Web Master receives calls that SP e-mail is not being received. If you have provided a corporate or worksite e-mail address your company may be restricting certain e-mails as SPAM. Sandy Point owns and uses a unique domain name (@sandypointcondos.com). Unfortunately, SPAM filters used by some corporate e-mail servers may not always accept or deliver e-mail with our unique domain name. Sandy Point has no way to predict or otherwise control this situation because at this time there are no uniform standards in place for how SPAM is filtered or handled.

If you have provided Sandy Point a corporate or company e-mail address and are not receiving e-mails sent from the sandypointcondos.com domain, you should first call your company e-mail system administrator to request they set up the Sandy Point unique domain name spwebmgr@sandypointcondos.com as a safe recipient in your company e-mail server.

For home personal computers, especially if you use e-mail services from Gmail, Yahoo, or Hotmail, you may also need to set up the unique domain name @sandypointcondos.com as a safe recipient domain in your personal computer e-mail application.

SHARING OUR SPACE WITH URBAN WILDLIFE

Sandy Point has a diverse wildlife population that includes all kinds of ducks, geese and other waterfowl, and a wide variety of other birds. And, as is nature's way, Sandy Point's wildlife includes a few species that are natural predators, like hawks, eagles, coyotes and foxes.

The urban coyote, as well as many other animals, have adapted well to urban living; for example, coyotes and foxes have no natural predators locally to control their population and they thrive in our urban environment. You should be aware that trapping or attempting to remove them has been unsuccessfully tried by Sandy Point.

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There are a number of steps recommended by *Indiana Department of Natural Resources* that can help people living in urban residential areas avoid conflicts with all kinds of wildlife:

- Don't leave pet food, watering dishes or other food sources outside that attract wildlife
- Try to secure garbage containers to eliminate odors that may attract animals because they can easily shred bags, or open unsecured containers rummaging for food and leave a cleanup mess
- Trim and clean shrubbery (especially near ground level) that provides hiding cover for either the predators or their prey
- Never leave small children outside unattended
- Do not allow pets to run free. Always walk your pet on a leash. Accompany your pet outside, especially at night or early morning periods

Fortunately, predators like coyote and fox are wary of people and are usually not aggressive toward humans. Should you happen upon them, or they surprise you by making an appearance near your home, you can usually discourage them from visiting the area by making loud noises, turning on lights, or throwing small rocks at them. If you do throw rocks, please be very careful and try to not hit someone's house or windows

APPENDIX A- ARCHITECTURAL STANDARDS / RULES / REGULATIONS

(This document should be reviewed and understood prior to applying for an architectural change. It is incorporated by reference into the Sandy Point Architectural Change Request Form, PART TWO of the first page known as "Understanding the Rules".)

GENERAL HARMONY AND ENVIRONMENTAL CONTROLS – OVERVIEW

The primary objectives and responsibilities for the Architectural Control Committee are:

- Seek to raise all Sandy Point property owners' asset value by objectively applying the maintenance and construction standards for structures at Sandy Point.
- Objectively evaluate Architectural Change Requests from Sandy Point property owners in a timely and professional manner.
- Evaluate the proposed scope of work for conformity with Sandy Point standards for materials, methods and workmanship.
- Communicate the Architectural Change Request's status to the Sandy Point property owner.
- Keep the Sandy Point Board advised of all Architectural Change Requests and their status.

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- Maintain individual files for the collection of Architectural Change Request changes over the life of each Sandy Point property.
- Prevent extra cost burdens on the HOA budget
- Maintain or raise the level of the community's expectations for quality

The Declaration of Covenants, Article IX, Section 1, is the basis for having the Architectural Control Committee (ACC). In the interest of better understanding the mandate of the ACC, the first page of the Change Form includes this provision. The makeup of the ACC is required to consist of at least three members. To satisfy this requirement and afford good communication with the Board, an elected member of the Board is designated the Architectural Control Committee Chairperson. In addition to the members of the ACC, a list of residents who have volunteered their experience in a wide array of subject areas will be maintained and they can be consulted for opinions on an as needed basis.

An **Architectural Change Request** is required for all projects initiated by an Owner regardless of size or scope of work. **Architectural Change Requests** will be reviewed by the three members of the ACC to assure conformity to SP standards and community harmony. It is deemed appropriate that certain types of requests are routine in scope. These include, but are not limited to, requests for installation of a satellite antenna, replacement of windows, doors or garage doors. Handling of such requests may be expedited at the discretion of the members of the ACC. Some large projects may need to be reviewed by the Board even though the ACC has come to an agreement. These are usually requests that will set a precedent, reverse or change a precedent, impact a neighbor, have financial implications impacting the SP budget, or alter the established appearance or practices in Sandy Point.

Owners are responsible to check with **Indianapolis Department of Code Enforcement** to determine the need for permits associated with any project submitted to the ACC for approval, and to obtain any required work permits **prior to starting any work**. Be aware that multiple DCE permits may be required for interior renovation work that involves changes, or additions to electrical wiring, changes to interior walls, especially load bearing walls, changes to HVAC, and plumbing or sewer connectivity.

If a project is requiring an extension or addition to the size of a Lot, or any other changes to existing legal property descriptions of the plat records on file with the Marion County Recorder's Office, the following additional documentation and requirements are mandatory:

- a. Provide a certified survey of the Lot and surrounding Common Area property from a licensed surveyor with a legal description of the existing Lot and Common Area (land) and a description of the proposed changes or addition(s), including plus one inch adjacent to the exterior walls of the addition.
- b. Provide a certified flood elevation survey from a licensed surveyor, dated within 3 months of the date the Sandy Point ACC request form is submitted. This will be used to verify that the proposed

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changes will comply with existing flood plain regulations and assure FEMA flood status of any unit(s) within Sandy Point are not jeopardized.

- c. All costs and fees associated with obtaining surveys, and/or for recording the changes of property descriptions with the Marion County Recorder's Office are the responsibility of the requesting Owner. If the project is approved by the Sandy Point ACC, a copy of the updated and changed plat record from the Marion County Recorder's Office will be provided to Sandy Point ACC within 30 days of the date of the new recording.

Blank *Architectural Change Request Forms* may be obtained on the Sandy Point web site or from the ACC Chairperson. To submit a request, just follow the instructions or call a member of the committee for help. In general, there will be no attachments to the exterior of any dwelling without first consulting the SP Manager. Before attaching trellises, hose reels, wall décor, etc.... call the Manager.

The following are some basic standards for items that may be asked for in ***Architectural Change Requests***. These guidelines have been developed and revised over the history of Sandy Point. Please consider them in any request you make. These are provided in an effort to help you in formulating your request. Please note that the following is not all inclusive, but rather an overview.

REPLACEMENT DOORS / WINDOWS

Replacement of existing doors or windows must be must be approved by the Architectural Control Committee. They must fit exactly into the space being vacated by the old window or door. A technique for fitting a small window into a larger opening called 'wrapping' will not be approved. Windows with vinyl trim on the external surfaces, if not an approved color, must be paintable. All aluminum windows are not acceptable. Aluminum clad exterior over wood is acceptable.

- If a new or different style window or door is being requested, be aware that some ornamental doors or windows are not considered appropriate and will not be approved.
- The external parts of the window (all non-glass surfaces) and the wood trim of the house must be the same color.
- The external color of doors must complement the existing Sandy Point exterior color palate.
- If at the time of installation, a door does not have the appropriate and required external color to match the Sandy Point color palette or the window color does match the house trim color, it is the responsibility of the homeowner to have the door or windows painted the appropriate color as soon as possible after installation.

REPLACEMENT GARAGE DOORS

- Replacement garage doors should be four panels high by eight panels wide.
- Windows are an option and should be centered and installed in the top or second row.

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- Use of ornamental designed windows must be approved by the Architectural Control Committee
- The external trim parts of the garage door windows and the garage door itself must be the same color.
- If at the time of installation the garage door does not match the siding or the trim color, it is the responsibility of the homeowner to have the garage door painted the appropriate matching color as soon as possible after installation.

SATELLITE ANTENNA

- All satellite antenna must be approved by the Architectural Control Committee.
- The antenna must be securely mounted toward the back side of a building wall or on an exposed wood surface or chimney that is not readily visible from the street. Installation at ground level is acceptable only if no other location will provide adequate reception and the location does not interfere with a neighbor's sight line.
- Under no circumstances may the antenna be mounted on a roof surface or through roof materials in a manner that would void the warranty of the roofing material.
- The location of the antenna will be reviewed and approved prior to installation by the Architectural Control Committee and will be noted and maintained in the residential files. Requests to relocate or move an antenna must be presented on an ACC request form for review and approval prior to making any location changes. Any unauthorized changes or movement of an antenna from an approved location, must be corrected by the homeowner upon request. In the event a resident does not comply with the request in a reasonable period of time the Sandy Point HOA retains the right to make the move at homeowner's expense.
- All cables and connections must be secured. Ask the cable installer where the wires will enter the house. Work with the SP Manager to know where the cables can come in contact with the siding and how they can be disguised.
- Any damages caused by the antenna to a building are the homeowner's responsibility to repair or replace with the assistance of SP management.
- The owner who installed the device is responsible for its removal when selling the home.

REPLACEMENT OF HEATING AND AIR CONDITIONING SYSTEMS

The unit owner must present an **Architectural Change Request** form to the ACC for any proposed Heating and/or A/C replacement and must be granted approval prior to starting the addition or upgrade. Approval will be contingent on the type of furnace or air conditioner, method of installation, construction requirements involved, physical location of unit, noise factors, its visibility and appearance to neighbors and other aesthetic and environmental factors. Window mounted air conditioning units, or any element of a portable A/C mounted in a window are not allowed.

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Replacement of existing Heating and A/C units:

The existing location and basic foot print for the external A/C compressor should not be changed. The following options have been approved in the past:

- Install a second furnace and A/C unit
- Extend existing duct work into a new area
- Install a split ductless system
- Install a PTAC system

Replacement of existing Heating units with a 90% or higher AFUE furnace:

Installation requirements for a 90% or higher Annual Fuel Utilization Efficiency (AFUE) furnace may mean significant building construction changes. Costs for required changes to external and internal building elements are the responsibility of the Owner. There are three major issues likely to arise for 90% or higher AFUE units:

- Equipment space constraints
- Exhaust venting requirements
- Condensate disposal

INSTALLATION OF TANKLESS WATER HEATERS

The unit owner must present an **Architectural Change Request** form to the ACC for any proposed installation of a Tankless Water heating system and must be granted approval prior to starting the installation. Approval will be contingent on the method of installation, construction methods involved, physical location of unit, noise factors, its visibility and appearance to neighbors and other aesthetic and environmental factors.

Replacement of existing Gas or Electric Water Heater units with a Tankless System

Installation requirements for a Tankless Water Heating system may mean significant construction changes. Costs for required changes to external and internal building elements are the responsibility of the Owner. There are major issues likely to arise for Tankless Water Heating units:

- Exhaust venting requirements
- Condensate disposal

SOLAR ENERGY SYSTEMS

Sandy Point does not permit the attachment of any solar energy system to roofs, siding, trim, decks, fences, walkways, docks or Common Areas.

The use of portable energy systems requires approval from the ACC. Portable systems should not be placed on Common Area, obstruct a neighbor's view, be visible from the road or be deemed offensive to neighbors.

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ADDITIONS OR CHANGES TO FENCES, PORCHES, PERGOLAS, WALKWAYS, DOCKS OR DECKS

- All new external construction will be required to use construction methods used for the original building construction. The frame and trim must be constructed of wood. Balusters will not be approved if pre-fabricated or constructed of materials such as glass, plastic, fiberglass, or other materials that are not considered to be in harmony with the community's overall design.
- Use of composite-board materials such as Trex for deck and dock surfaces is acceptable. Plywood or OSB is not acceptable.
- All construction of enclosed rooms must be upon a concrete slab or a foundation required by applicable building codes. In general, but not always, if an existing structure is under roof, it was likely required by building code to be built on a proper foundation. Structures such as decks not under a roof, most likely,

did not require foundations that would be adequate to support the weight of a roof or room. For all projects submitted for approval it is the homeowner's responsibility to provide structural details including specific information on foundation.

- Changes or additions to fences, porches, walkways or decks on the water side of a home **must not** be attached to existing home structure for FEMA compliance. Changes to non-visible areas i.e., under decks at the foundation, must be documented through photos or trade affidavit.
- Privacy screens are allowed between homes on the back or water side to separate decks and patios.
- All fences, such as for dog runs, are to be of the picket fence style. They should be no higher than four feet, not exceed six feet in width and be consistent with the footprint of the residence.
- You may not change the color of your deck, boardwalk, dock or fence without prior approval from the ACC.
- When installing or repairing walkways, a provision of 6 feet must be incorporated to allow for the free passage of lawnmowers or maintenance crews.

AWNINGS

Sandy Point discourages the use of anything attached to the roof or the siding of any building in Sandy Point. However, when needing a sun shelter over a deck or patio consider a free-standing pergola. If an awning is the correct solution for shade, the following conditions shall apply:

- Striped or solid colored materials matching as closely as possible the building's trim color or the color of the siding of the unit are acceptable.
- The edges of the awning shall be either straight or scalloped. No fringe, or tassels, or other decorative treatments are approved.

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- The awning frame should be attached to the trim boards surrounding the window. Attachment to siding, roof, or gutters is not allowed. However, the ACC will work with the homeowner whenever possible to accommodate special circumstances that may require the installation of more appropriate supports for awning mounts under siding or trim. If the accommodation can be granted, costs for such special requests or accommodations will be paid by the homeowner.
 - The homeowner accepts responsibility for repairs of any damages to trim boards, attached mountings, and adjacent structural building elements that result from installation or use of awnings. The homeowner will compensate Sandy Point for the costs of any required repairs.
 - The homeowner shall be responsible for ongoing maintenance that keeps the awning(s) in good condition. This includes, but is not limited to, repair in the event of tears, wind damage, fraying or noticeable fading.
-
- In the event a change in ownership of the unit takes place, these provisions will apply to the new owner. It shall be the responsibility of the existing homeowner to make sure the new homeowner is made aware of these provisions.

APPENDIX B-GROUNDS AND LANDSCAPING STANDARDS/RULES/REGULATIONS AND GUIDELINES

GENERAL GROUNDS AND LANDSCAPING MAINTENANCE OVERVIEW

The primary objective for the Grounds-Landscape Committee (ALC) is to assure that the ongoing maintenance of the Common Areas and the Limited Common Areas in and around each home is accomplished in a manner that will provide a consistent and uniform appearance throughout the community. To accomplish these objectives a Master Landscaping and Grounds Maintenance Plan has been established with a set of Guidelines that are the Standards, Rules and Regulations to be observed by all Sandy Point residents. The standards, rules and regulations are outlined for your information below.

The Grounds-Landscape Committee will be responsible to review all requests for landscaping or planting of trees, shrubs or ground cover throughout the entire community and will approve or disapprove in accordance with the intent of the Master Grounds and Landscaping Plan.

Individual residents who wish to make changes to their foundation plantings or landscape in the Limited Common areas around their homes are required to submit a **Grounds-Landscape Request** form with detailed diagrams and descriptions of the project being proposed. Each type of tree or plant must be of a type that is recognized as an item not already excluded by the Sandy Point Master Plan. It is suggested you talk your ideas over with neighbors, as this will weigh heavily in the approval process. On **Grounds-Landscape Requests** a neighbor's signature is not required for approval, but it does afford them an opportunity to state their

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comments, support, or objections for the Grounds-Landscape Committees review. Please be sensitive to blocking of your neighbors view from decks and banks.

The HOA will maintain a contract with a professional landscaping and lawn service provider to perform the major portion of the lawn and grounds maintenance responsibilities and for care of the landscaping of Common Areas.

It is the responsibility of individual homeowners to assist the community by performing certain routine maintenance and care of the lawns and landscaping around each individual's home. The homeowner's attention to these responsibilities will help insure that our community is always a place we can feel proud to welcome our friends, family and guests to enjoy.

GROUND AND LANDSCAPING STANDARDS / RULES / REGULATIONS

The following standards, rules and regulations have been established by the Sandy Point Board of Directors for the common enjoyment of all residents.

BERMS

To maintain the uniform appearance of the Master Plan it is important that all berm areas are maintained and trimmed as outlined above. Individual residents are asked to not interfere or request the service providers do anything other than as instructed by the Grounds-Landscape Committee. The berms have been planted with grass depending on location and grade of the ground. The use of grass on some berm areas has been approved by the GLC to provide a more finished appearance and to maintain more positive control of erosion. All grass areas on the berms are included in a monthly mowing schedule by the lawn service provider.

The berms adjacent to the roadways between Nantucket and Clearwater Cove are the responsibility of the HOA.

RIVER BANKS

The definition of river bank includes the Limited Common areas adjacent to or behind houses on the water. Those areas of river bank that have planted grass, but are not accessible by mowers, will be trimmed using weed eaters once each month. There are some areas of river bank that have no grass planted.

These areas should be kept clear of excess weeds or wild flowers and trimmed periodically to maintain a uniform appearance.

Any plantings on the river banks that the homeowner has placed must be identified to the GLC and defined as a designated area that is clearly marked by the resident and visible using reasonable observation and care. The lawn service provider will be instructed by the Grounds-Landscape Committee as to where these designated areas are, and instructed to exercise a due amount of care of such designated areas. However, neither the lawn service provider nor the HOA can assume responsibility for maintenance, care or subsequent damage to the plants therein.

Residents are asked to not interfere or request the lawn service providers do anything other than as instructed by the Sandy Point Property Manager.

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MAINTENANCE OF LAWNS

The HOA maintains all lawns through a professional service provider. This includes routine fertilization and treatment for weed control.

Individual homeowners are responsible for watering their lawns. Sandy Point has very sandy soil and this needs frequent and consistent watering. Please keep lawns watered on a regular basis. This is not just for appearance, but also helps prevent insect growth during the extreme hot months.

Control and treatment for Moles, Grubs or other forms of varmints are the responsibility of the homeowner in the Limited Common Areas. The HOA provides this control in the Common Areas.

CONTROL OF HONEYSUCKLE

Honeysuckle is an invasive plant that covers much of Sandy Point. It requires knowledgeable contractors to cut it down, chip it/haul it away and apply an herbicide to retard new growth. Because of liability issue involved in the safe removal of honeysuckle from Sandy Point, all removal must be done by an insured landscape contractor.

IRRIGATION SYSTEMS

Installation or modification of an irrigation system requires prior approval by the Grounds-Landscape Committee and must be professionally installed. The homeowner or contractor is responsible for determining utility line locations, neighboring irrigation system locations and notifying Citizens Energy of the hookup. The homeowner is responsible for winterizing the back flow devices in cooperation with the requirements of Citizens Energy. The installation contractor is responsible for providing the Grounds-Landscape Committee with a detailed map showing exact locations of all sprinkler heads and water lines. Installations specifications will be provided by the Grounds-Landscape Committee.

Control panels are to be located inside the garage, not on an exterior wall.

Joint systems with neighbors are not permitted.

Before approving a request, a HOA representative will inspect the construction of the meter pit walls, check for any signs of water leaks in the meter pit, and approve the location of the back flow device.

Upon completion of the installation, a HOA representative will do a follow-up inspection checking for damage to the pit walls and leaks in the service lines. In pits with two meters, the contractor and homeowner installing the system assume responsibility for leaks within the meter pit for 90 days. Additionally, the homeowner will be responsible for water leaks within 24 inches of the point of connection for 120 days, including the water meter shut-off valves.

MAINTENANCE OF TREES AND SHRUBS

Trees and shrubs will be evaluated each year for disease or damage and their condition will be considered and included in the annual maintenance plan produced by the Grounds-Landscape Committee. All work to be done

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for tree and shrub maintenance will be completed as prioritized by the GLC and based on available budget dollars.

All trees and shrubs in the Limited Common Areas that are new or are part of the foundation plantings are the responsibility of the individual homeowner. New trees should be planted eight feet from dwellings, driveways and sidewalks to allow for growth of branches and roots. Individuals are asked to make an annual evaluation of the trees and shrubs in your home area and trim or maintain as appropriate, taking into account trees and shrubs should maintain a minimum distance of 12 inches from siding and roofs, and not touch roofs or gutters.

Mulch: Each spring the HOA will spread mulch, as needed, on the Common Area trees and shrubs. A supply of mulch will be dropped in several areas of the community for use of residents on a first come, first served basis. This mulch can be used for foundation areas and other landscaped areas in and around your Limited Common Areas.

Please use only the provided mulch or an equivalent type and color and do not use ornamental stone or rocks. Ornamental stones or rocks as foundation beds are not approved in the Grounds Master Plan.

Because the costs of trimming and the removal of dead or fallen trees is very expensive, if a homeowner adds any new shrubs or trees on their Limited Common area, and it becomes diseased or has storm damage, the homeowner is fully responsible for maintenance, including the removal if necessary.

If any tree or shrub is deemed to be a hazard, or if any tree or shrub is not kept trimmed, the Board reserves the right to trim the tree or shrub as necessary without prior notice.

ACCEPTABLE TREES AND SHRUBS

Bushes: Flowering Shrubs, Holly bushes, Burning bushes, Peonies, Hostas, Stella D’Ora Lilies, Lilac bushes, Ornamental grasses (note: Ornamental grasses are excellent for erosion control). Other types or varieties may be discussed with the Grounds-Landscape Committee for approval. Honeysuckle and other invasive varieties of bushes are not acceptable.

Trees: Pine – all varieties, Red Bud tree, Purple Plum, Maple, Dogwood, Magnolia

Other types or varieties may be discussed with the Grounds-Landscape Committee for approval.

UNACCEPTABLE TREES

The following trees may exist in the community, most likely as a result of prior existence during development, but these trees are deemed to be inappropriate and unacceptable due to being prone to disease or attracting insects or have other inherent problems. Any tree deemed to be unacceptable that is damaged and must be removed will be replaced with a different variety.

Trees: Hawthorns, Mulberry, Willow, Crabapple, Cottonwood Poplars, Bradford Pear, some species of Elm, and any kind of fruit bearing tree, bush, or vine.

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VEGETABLE GARDENS

Vegetable Gardens are prohibited. It is suggested you consider planting your favorite vegetable in a pot and place it on your deck or back porch. You may also mix a few vegetable plants among your shrubs in the rear of your house, but these must be out of view by your neighbor, and at the back of your house only. No vegetable plantings are permitted at the front of the house.

ACCENT AND PATH LIGHTING

Installation of decorative lighting requires prior approval by the Grounds-Landscape Committee, and should be placed such that it does not interfere with normal lawn maintenance. If the lighting requires AC power, it must be professionally installed with all wiring buried below ground level. The homeowner or contractor is responsible for determining utility line locations.

ORNAMENTAL GARDEN DISPLAYS

Plastic, foam or any bright colored garden statues are prohibited. A garden display should blend in with your present garden and cannot be offensive or obtrusive in size, color or style.

FREE-STANDING FLAG POLES

Installation of a free-standing flag pole requires prior approval by the Grounds-Landscape Committee and must be professionally installed. It should be located at the rear of the dwelling in a mulched area. Height should not exceed the ridgeline of the roof.

HOLIDAY DISPLAYS AND HOLIDAY LIGHTS

The installation of Holiday displays by individual residents for observed holidays is permitted. All such displays should be removed as soon after the Holiday as possible.

A Holiday display of lights is installed by the HOA at the Main Entrance and at the Small Circle. These are two locations that nearly everyone passes and therefore all can enjoy the holiday lights.

The HOA encourages all who want to participate to place some form of Christmas Holiday decorations on their shrubs and homes. All Christmas Holiday lights and displays cannot remain installed on the house or trees/bushes during the year. All lights and displays will be removed as soon after the Holiday as possible (During January, weather permitting).

STORAGE OF FIREWOOD

Storage of firewood presents a danger to homes of infestation by termites and other insects or to causing rot to building siding. Therefore, firewood must be stored above the ground on a rack at least 8 feet away from your building. Any rot damage or termites caused by improper storage of firewood is the homeowner's responsibility. All costs for termite treatment, maintenance or repair will be charged to the individual homeowner's account.