

HORIZON POINTE HOMEOWNERS' ASSOCIATION, INC.

General Covenants & Restrictions – Excerpts

PLEASE NOTE: This is a six-page summary from your HOA Board of Directors of main points for easy reference. This is not the official wording, which can be found in Article X of the Declaration Establishing Horizon Pointe Homeowners Association, Inc.

- No animals are permitted, except for two dogs or two cats or combination thereof. Birds and/or fish are permitted if kept in a cage or aquarium. The Board can require owners to dispose of any pet deemed to be a nuisance.
- Dogs are not permitted to run at large unless restrained by an adequate collar and leash. As dogs defecate along their walk, their waste is to be bagged and carried away for disposal.
- Outside storage of lumber, metals, and bulk materials is not permitted.
- Garbage, trash, and recycling can be placed outside in approved containers for a maximum of 24 hours before scheduled pick-up.
- Outside storage or parking for more than one 72-hour period per month of any commercial or recreational vehicle, camper, truck, trailer, or boat is prohibited.
- The use of a household storage unit, such as PODS, requires pre-approval by the Board, and will be restricted to 72 hours on site.
- Vehicles parked in unauthorized areas shall be towed at owner's expense.
- Garages may be used for vehicular parking only and may not be modified for any other use.
- Garage doors should be kept closed except for ingress and egress whenever possible.
- Toys, bicycles, tricycles, baskets, nets, and yard equipment, including hoses, electrical cords, etc., cannot be left outside after dark. Hoses and electrical cords should not be draped across walkways.
- Flammable substances may not be stored in any dwelling or garage, except for products needed for household maintenance and limited seasonal use, e.g., gasoline and propane.
- Noxious or offensive activities that create dust, smoke, air or noise pollution, such as the use of ATVs, snowmobiles or similar recreational vehicles, bonfires, excessively loud outdoor music, firecrackers, etc. are not permitted.

continued

- Garage sales are prohibited. Estate sales, in conjunction with the sale of property, require Board approval. Conditions apply, including proper signage and parking restrictions.
- Planters shall match the color of the villas or shall be composed of terracotta clay. Barrels, lawn ornaments, or wheelbarrows for plantings are not permitted. Planting and cultivation of sunflowers are prohibited.
- Holiday ornaments and decorations are permitted during the holiday season, Thanksgiving through January 10th. Blinking or sequential lights, inflatable decorations and mechanical displays are not allowed.
- Freestanding flagpoles or halyards are not permitted.
- Clotheslines and the outside drying of clothes are prohibited.
- Window awnings, exterior shutters, and other exterior window or door coverings visible from the street are not permitted. Indoor shades or drapery linings should be white, off-white or beige.
- Signs of any kind are prohibited, except for "Open House" signs on the day of a property sale open house only.
- Homeowners are responsible for watering their lawns, as needed to maintain their healthy condition. Automatic sprinkler systems should be set and adjusted according to weather conditions and should not run on the eve of scheduled lawn mowing days.
- Homeowners are responsible for maintaining their gutters, downspouts, and underground conductors and laterals. The Association is responsible only for structural failure of underground conductors and laterals.

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The following are not permitted without Board approval:

- Changes or improvements to the exterior of the villa or its landscaping, including exterior lighting.
- Alteration to exterior color, which includes siding, trim, and doors. Approval is still required, even when the exterior paint color is to remain the same. All approved colors for siding, trim and doors can be viewed at the Woodbridge office.
- Invisible fencing for pets. Note: variance requests will not be approved if installation plan includes cutting into driveway. Homeowner will be responsible for any damage caused by placement of wiring, such as wires cut by lawn maintenance equipment.
- Fences, walls, or screen plantings. Window awnings on rear or side yard windows that would not be visible from the street.
- Removal of live trees.
- Storm doors. Note: proposed storm doors must feature a full glass panel and have a frame color matching the exterior siding or trim.
- Replacement or installation of machinery, HVAC units, backup generators, or other devices other than by those similar to what was provided by the builder.
- Outside radio, TV, or electronic antennas, including satellite TV dishes. The Association shall abide by the requirements of the Federal Telecommunications Act of 1996.
- Trailers, tents, out buildings or sheds.
- Outside work on any motor vehicle, boat, or machines other than minor servicing and maintenance. While using the garage for repair work or painting, sanding, refinishing, etc., the garage door shall be closed.
- Wholesale or retail business, service occupation, or home business in conflict with applicable town laws.

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Maintenance Responsibility Table

The Declaration and by-laws of the Horizon Pointe Homeowners Association, Inc., recorded December 7, 1999, establish the different maintenance responsibilities of the Association and of the individual homeowners. Reference should be made to these documents which are to be found in the "Affidavit for Offering, Di Minibus Cooperative Interests," Exhibits B and D. The information that follows is drawn from those documents. Please note carefully that only the original documents can be relied upon for precise definitions and distinctions. It should also be noted that The Board has the right and the responsibility to construe and interpret the Declaration and by-laws as conditions warrant.

DEFINITIONS:

HOMEOWNER PROPERTY: The house and the land immediately under the house.

ASSOCIATION PROPERTY: All land in the Horizon Pointe community except that immediately under individual houses. It includes all open space and landscaping areas, paved common driveways (circle, eyebrow), subdivision entrance monument, as well as all land occupied by homeowner improvements.

IMPROVEMENTS TO ASSOCIATION PROPERTY BY HOMEOWNERS: Includes patios, walkways, landscaping, decks, watering systems, invisible fencing, etc.

HOMEOWNER'S LAWN: The lawn associated with one's house/lot.

LOT: Identified on the tax records of the Town of Perinton as a separate parcel of land.

SIDE YARD: That area approximately half-way between individual houses (identified on the town tax records as the side lot line) and running between two imaginary lines, one drawn parallel with the front of the house and the other running parallel with the rear of the house.

REAR YARD: Area between the rear and side lot lines and the imaginary line running parallel with the rear of house.

COMMON AREAS: The six (6) areas throughout the subdivision that the Association landscaped and maintains. It includes the entrance monument area.

MAINTENANCE RESPONSIBILITY TABLE

	ASSOCIATION RESPONSIBILITY	HOMEOWNER'S RESPONSIBILITY	COMMENTS
LANDSCAPING:			
Lawn Cutting	Yes	No	
Lawn Chemical Treatment	Yes	No	Fertilization, Weed Control Grub Control
Lawn Infestation	No, but widespread Problems subject To Board review	Yes	e.g., infestation of bent grass
Tree & Shrub Chemical Treatment	Common Areas plus Front & Side Yards ONLY	Rear Yard	Fertilization, Insect Control
Bed Maintenance	Common Areas plus Front & Side Yards ONLY	Beds in Rear	(continued)

Edging & Mulching	Common Areas plus Front & Side Yards ONLY	Beds in Rear	Mulching as deemed necessary by Board. Homeowner-installed mulch Must match color of Community mulch.
Weeding of Beds	Common Areas plus Front & Side Yards where Practical	Beds in Rear	Only in open areas of the beds. Homeowner is responsible for weeding in beds with ground covers, shrubs, or plantings that have been allowed to overgrow.
Pruning of Shrubs	Common Areas ONLY	Homeowner's Beds	
Spring & Fall Cleanup	Yes	No	
Irrigation/Watering	Common Areas ONLY	Homeowner's Lawns	Memorial Day to Labor Day adjust for weather Conditions to avoid Overwatering
Irrigation Sprinkler Head Invisible Fence Damage: In beds	Only when caused by Lawn Cutting/Trimming	When caused other than Lawn Cutting/Trimming	Heads must be flagged by homeowner in early Spring for bed edging.
On lawn	No	Yes	Heads must be flagged for Edging & for Fall aeration
Trimming and /or Removal Of Trees	No	Minor trimming OK Major trimming and Or Tree removal w/Board approval Only	Tree removal in LDD (Gypsy Moths) are present requires Town approval as well as Board approval.
Landscape Improvement Around Homes	No	Board approval required	
Shrub/tree replacement	Common Areas plus Association-planted Trees in Front Yards	All Shrubs & Trees planted by Homeowner	Association responsible for shrubs/trees in all common areas and only those on Lawns that have been Planted by Association
SNOW REMOVAL Driveways	Yes	No	To avoid damage to the Driveway, homeowners May only use calcium Chloride or similar chemical (continued)

Walkways	No	Yes	Homeowner required to maintain safe passage
Private Roads	Yes	No	
Ice Control	Private Roads ONLY (Circle, Eyebrow)	Yes	Public roads serviced by Town of Perinton. Homeowners use calcium chloride.
Snowplow Damage Repair	Yes	No	Association contractor only responsible for their plow damage
OTHER			
Interior Home Maintenance	No	Yes	
Exterior Home	No	Board Approval required	Painting, Doors/Windows Roof, Replacement, etc.
Modification to Exterior	No	Board Approval required	
Gutter, downspouts underground conductors, and laterals	Only for structural damage of underground conductors and laterals	Yes	Homeowner is responsible problems except structural damage of underground conductors/laterals
DRIVEWAYS & PRIVATE ROADS			
Sealing, Repair; Resurfacing	Yes	No	
LIGHTPOSTS & SPOTLIGHTS			
Bulb Replacement	No	Yes	2 Spots and 1 Lightpost at each house
Photocell Replacement	Yes	No	Homeowner will be charged For electrician's visit if Problem turns out to be a burnt out bulb.
Repair or replacement of post and fixture	Yes	No	
MAILBOXES			
Repair, Replacement	Yes	No	
ENTRANCE SIGN			
Repair, Replacement	Yes	No	