



**BENT CREEK
HOMEOWNERS ASSOCIATION**

COMMUNITY RULES AND REGULATIONS

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Community Rules and Regulation

Pursuant to the By-Laws and Declarations of Covenants, Conditions and Restrictions for Bent Creek ("Restrictive Covenants"), of record with the William County Register of Deeds, Bent Creek Homeowners Association ("Association"), by and through the Board of Directors (the "Board"), hereby adopts the following Rules and Regulations ("Rules"), which are subject to amendment by the Board as needed to better the community.

These guidelines are provided for the benefit of the residents Of Bent Creek Homeowners Association. The Rules are designed to maintain property values. A certain level of upkeep is advised; since realtors and potential homebuyers may be touring the Bent Creek Community at any time, it is important to remember to keep your home and lawn well-maintained.

Nothing herein shall be deemed to amend or change the Restrictive Covenants. Terms used herein shall have the same definition as set forth in the Restrictive Covenants. In the event there is a conflict between these Rules and the Restrictive Covenants, the Restrictive Covenants control. Terms and phrases shall be defined as set forth in the Restrictive Covenants. You should review the Restrictive Covenants to understand your rights and obligations as a Lot Owner in Bent Creek. You can locate them on the community website at <https://www.BentCreekHOA.org> or by contacting the property manager for Bent Creek.

ARC Requests

ARC requests for alterations or improvements must be submitted on the approved HOA form in Caliber to the ARC Committee. The ARC request form requires information, that will assist the ARC Committee in reviewing plans for your proposed alteration or improvement. Specific information is detailed below. Action on applications submitted without the required information will be delayed until all information is provided. The information required includes:

- **Description** – The ARC request form requires a complete description of the alteration or improvement. This includes a complete listing of materials to be used; overall dimensions - height, length, width, height above ground level, etc.; color, pictures of the existing house, trim and roof color; and material submission of colors/materials of the proposed alteration or improvement.
- **Site Plan/Plat** – A site plan is a scaled drawing of your lot (plat) showing dimensions of the property, adjacent properties if applicable, and all existing improvements, easements and any right of ways. You must draw your proposed improvement on a copy of this plat on record and provide it with your application. This drawing may require all setbacks and easements be shown. Contour lines may be required where drainage is a consideration and applications that are more complex may require larger scale (ten (10) to twenty (20) feet to the inch scale) enlargements of the plat, plan of County approved development, or site plans.
- **Drawings/Photographs** – Complete scaled drawings showing all dimensions, elevations and details of the proposed improvement or alteration are required. Drawings shall show the relation of the improvement or alteration to the existing home and other improvements on the Lot. Drawings that are unclear slow the process and may be returned to the applicant for clarification. Photographs, catalogue clippings or manufacturer's "cut sheets" are acceptable for items such as lighting fixtures, storm doors, Pool, and other standard items.
- **Signatures** – The applicant is required to sign the application form. In addition, the signatures of all adjoining or affected property owners are required on all applications. The signatures do not constitute approval or disapproval of the proposed project; rather they indicate that the adjoining property owners are aware that an alteration or improvement is contemplated. ARC requests received without signatures will not be reviewed. If you sign an adjacent property owner's application and have questions or concerns about the project, please contact the Property Management Company or HOA Board.

All ARC requests submitted to the ARC Committee are subject to an on-site inspection. For approved applications, this may include an as-built inspection after job completion, at the Committee's discretion.

Overall Review Criteria

ARC requests are reviewed on their individual merits, including the consideration of the characteristics of the housing type and the individual site, since what may be an acceptable design in one specific instance may not be for another. Design decisions made in reviewing applications are not based on any individual's personal opinion or taste. Judgments of acceptable design are based on the following criteria, which represent in more specific terms the general standards of the Restrictive Covenants:

- **Relation to the Bent Creek Community Open Space** – Fencing, in particular, can have a damaging effect on open space. Other factors, such as removal of trees, disruption of the natural topography and changes in rate or direction of storm water run-off, also adversely affect Bent Creek's open space.
- **Location and Impact on Neighbors** – The proposed alteration shall relate favorably to the landscape, the existing structure, and neighborhood. The primary concerns are access, view, sunlight, ventilation, and drainage. For example, fences may obstruct views, breezes, airflow, or access to neighboring property; decks or larger additions may cause unwanted shadows on adjacent patios or infringe on a neighbor's privacy and view. As another example, inappropriate "clutter" or lawn equipment, or an "ill-planned" landscape scheme may also affect existing neighbors.
- **Scale** – The size (in three (3) dimensions) of the proposed alteration shall relate well to adjacent structures and its surroundings.
- **Materials** – Continuity is established by use of the same or compatible materials as were used on the original house. The options may be limited somewhat by the design and materials of the original house.

Property Maintenance

Property ownership includes the responsibility for maintenance of all structures and grounds, which are a part of the Lot. This responsibility includes, but is not limited to, items such as mowing the grass, removal of trash, and structural maintenance. Maintenance affects the visual character and economic values of the property and neighborhood and, in some cases, residents' safety.

Lawn & Grass

Lot Owners and residents shall ensure that any grass lawns on their Lots, including in the back of the dwelling, are regularly mowed so as to keep a neat appearance of the lawn and Lot. It shall be the duty of each Lot Owner to keep the grass on the Lot cut on a weekly or bi-weekly basis, depending on the growing season; to keep the Lot free from weeds and trash; to edge/trim along sidewalks, curbs, and driveways; and to keep it otherwise neat and attractive in appearance.

Lot Owners shall refer to the Lawn and Yard Care Policy, which is attached as Appendix A hereto and incorporated herein by reference.

Trash Cans/Garbage Cans

No Lot shall be used or maintained as a dumping ground for rubbish, trash or garbage. Trash, garbage, or other waste shall not be kept on the Lot except in sanitary containers. Trash containers may be placed at the street curb on the evening before (after 5:00 pm), or on the morning of, the day the trash is scheduled to be picked up. Trash containers shall be returned to a location not visible from the street on the same day/evening as the trash pickup.

Building Exterior

The exterior of a dwelling must be maintained in an attractive manner. The Lot Owners shall be responsible for maintaining the structural integrity and repair of the improvements on the Lot. Wood rot, blistering or peeling of exterior painted surfaces is prohibited. Any exterior building components e.g. siding, gutters and downspouts, roof shingles, wood rot, shutters and railings, windows and doors, which are missing, stained, broken or otherwise in a state of disrepair, must be repaired. All additions, improvements and structures must be properly maintained and in good repair. This includes, but is not limited to structural integrity, painting, staining and sealing.

Clothes Lines

Clothes lines or similar apparatus for the exterior drying of clothes are prohibited.

Common Ground

Storage or dumping of materials on Common Areas is prohibited. At no time is the HOA's Common Area to be used as a dumping ground for any debris. Organic debris such as leaves, grass clippings and branches may not be dumped on Common Area. These materials take many years to decompose and do not create good habitat for wildlife.

Temporary and Permanent Container Storage

Storage containers, and dumpsters (up to 15 yard) are permitted on a temporary basis only, for a maximum of Twenty-Five (25) days, and provided they are stored on a Lot Owner's driveway. Residents must notify the Association's management company in writing prior to placing such a container on the Lot and provide details, including but not limited to, length of time, reason, and removal date. Placement of storage containers and dumpsters on the Association's Common Areas or on any place other than the Lot Owner's driveway is prohibited. Prior approval in writing from the Association is required before proceeding.

Additions/Alterations

General Considerations

Article V of the Restrictive Covenants requires written approval from the ARC prior to making any additions, alternations or improvements to a Lot. Additions/alterations may include any room additions or extensions, garages, sunrooms, or porches. Additions shall be planned and designed with the same care and consideration as initial house construction.

The design shall be visually integrated with the existing dwelling through the consistent and complementary use of architectural elements, materials, colors and other details and must be compatible with the existing dwelling in style, character, scale, materials, colors and surrounding dwellings. Approval is also required when an existing improvement is removed from a Lot.

Each application will be reviewed by the ARC on an individual basis. There are no “automatic” approvals, unless provided for specifically in the Declarations or these Rules and Regulations. For example, a homeowner who wishes to construct a deck identical to one already approved by the ARC is still required to submit an application and receive pre-approval in writing prior to the start of construction.

Specific Guidelines

- The size and location of the addition should be appropriate in relation to the existing dwelling and space available on the Lot.
- The design and location should consider any adverse impact on neighboring properties that may result through the elimination of privacy or the removal of existing views.
- Changes in grade or drainage patterns must not affect adjacent properties. If adjacent properties are adversely affected, the Lot Owner is solely responsible for taking corrective action.
- The design of any addition should repeat significant architectural elements of the existing dwelling, such as roof lines, windows, trim details, materials and colors.
- The new roof pitch should, if possible, match that of the existing roof pitch.
- New windows and doors should be the same type, material and color as those of the existing dwelling. If the original type, material and color is no longer available the new replacement must match in appearance from the exterior of the dwelling.
- Supplemental landscaping may be required to compensate for the removal of significant vegetation or to provide appropriate screening where necessary.

Specific Submission Requirements to the ARC

- A copy of the existing site plan showing the dwelling, property lines and easements, and any accessory structures, significant vegetation; and the location of the proposed addition/alteration.
- Complete plan and elevation drawings, to scale, showing the existing dwelling and the proposed addition/alteration.
- Photographs showing the dwelling and the site marked to show the location of the proposed addition/alteration.
- A list of all exterior materials and samples of proposed colors.
- Catalog photographs or manufacturer's "cutsheets" of items, such as exterior light fixtures, as applicable, including sizes, materials and colors.
- A landscape plan, as applicable, or required.
- An application is not considered "submitted" unless it includes all required information as provided herein.

Antennae/Satellite

Only satellite dish antennas and other antennas specifically covered by the Federal Communication Commission's Over-the-Air Reception Devices Rule (47 C.F.R. Section 1.4000) (the "FCC Rules") are allowed on Lots or dwellings within the Community. The FCC Rules currently specifically cover the following types of antennas ("Permissible Antennas"): (1) a "dish" antenna that is one meter (39.37") or less in diameter and is designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite; (2) an antenna that is one meter or less in diameter or diagonal measurement and is designed to receive video programming services via broadband radio service (wireless cable) or to receive or transmit fixed wireless signals other than via satellite; (3) an antenna that is designed to receive local television broadcast signals. No other exterior antennas shall be erected or permitted on a Lot or dwelling. Antennas no longer in use must be removed.

Note on Common Area. No antennas of any kind are permitted on the Common Area of the Association.

Restrictions on Placement. The Association reserves the right to restrict placement of Permissible Antennas in order to promote the aesthetics of the Community and help address safety concerns. However, nothing in these Rules and Regulations shall be interpreted or enforced in a manner that would violate the FCC Rules by (1) unreasonably delaying or preventing installation, maintenance or use of a Permissible Antenna; (2) unreasonably increasing the cost of installation, maintenance or use of a Permissible Antenna; or (3) precluding a Permissible Antenna's reception of an acceptable quality signal.

Preferred Locations. Subject to the prior paragraph and the remainder of these Rules, a Permissible Antenna should be installed in one of the following locations (listed in decreasing order of preference):

- 1) Inside the Owner's dwelling (e.g., inside a window);
- 2) Entirely within Owner's enclosed rear yard, below the fence line;
- 3) Entirely within Owner's enclosed rear yard, above the fence line;
- 4) On the Owner's deck;
- 5) Attached to the rear side of the roof of the Owner's dwelling;
- 6) Attached to the rear facade of the Owner's dwelling;

* An Antenna shall only be installed in a lesser preferred location if the more preferred location(s) either (1) unreasonably delays or prevents installation, maintenance or use of the Antenna; (2) unreasonably increases the cost of installation, maintenance or use of the Antenna; or (3) precludes reception of an acceptable quality signal.

Visual Impact / No Encroachments. Permissible Antennas should be placed in a location so that it is as inconspicuous as reasonably possible and screened from view. Installations must take aesthetic considerations into account, including the visual impact on neighbors and the visual impact when viewed from the street. In no event, shall any antenna encroach on or over an adjacent Lot or the Common Area.

Proper Installation and Use. All Permissible Antennas must be installed in accordance with the manufacturer's instructions and specifications. The Lot Owner is solely responsible and liable for any injury or damage caused by or arising from the installation and/or use of an antenna on that Owner's Lot or dwelling.

Notification of Installation. Prior to installation (or at least within 3 days after installation) of antenna on an Owner's Lot or dwelling, the Owner must submit written notification to the ARC of the antenna's installation (including the size, type and location of the antenna). This notification requirement is intended to allow the Association the opportunity to inspect the installation for compliance with these Guidelines. The ARC and Board reserves the right to require the Owner to provide a copy of the manufacturer's brochure (including installation specifications) for the antenna(s) that are being, or have been, installed. However, the Association in no way assumes responsibility or liability for any injury or damage caused by or arising from the installation and/or use of an antenna on that Owner's Lot or dwelling.

Basketball Goals

General Considerations.

Basketball backboards should be selected and located (through distance and screening) so as to minimize the impact of their appearance, noise and use on neighboring properties.

When locating basketball backboards, the size of the Lot, relationship to adjacent dwelling Lots, and screening provided by existing and proposed structures and/or vegetation are important factors.

Specific Guidelines

- No more than one (1) basketball backboard will be permitted on any Lot.
- The preferred location is over a driveway. The basketball backboard shall be placed a minimum of 11' from the front Lot line. Preference will be given to a design where the permanent goal is built into a sleeve for ease of removal and/or replacement should such become necessary.
- Metal poles should be painted black, brown or left in a galvanized finish; wood poles are not allowed.
- No sandbags, cinderblocks or similar items are permitted to weigh down basketball goals.
- No building-mounted backboards shall be allowed.
- Portable basketball backboards must be out of sight when not in use.
- Basketball backboards shall not be placed on, near or adjacent to streets, or sidewalks.

Specific Submission Requirements

- A copy of the existing site plan showing the dwelling and any accessory structures, fences, significant vegetation, property lines, the proposed location of the basketball backboards and pole.
- A catalog photograph or manufacturer's "cutsheets" of the backboards and pole, including dimensions, materials, and colors.
- Where applicable, provide a planting plan indicating the proposed type and location of vegetation or other screening, existing or proposed.

Whether permanent or portable, basketball goals must be maintained in a neat and attractive manner. Any unmaintained basketball goal shall be removed by the Owner upon written request of the Board.

Color Changes

Color and material changes shall be appropriate in appearance and quality to the style and design of the dwelling. Exterior colors should be selected to enhance the appearance of the dwelling as well as its relationship with surrounding properties and the natural environment.

No application is required for repainting/re-staining (or the replacement of siding) with a color/medium that is the same to that which is being replaced. Exterior colors and materials must exactly match those of the original.

Specific Guidelines

- Color schemes visible from the street for all additions, renovations, modifications and new construction must be submitted for review and approval.
- Proposed colors and materials must be compatible with other existing or proposed exterior colors and materials on the dwelling, such as roofing, siding, and other exterior elements and with the neighboring houses.
- When repainting/re-staining, the entire dwelling is to be repainted/re-stained at one time.

- Wood siding must be protected with stain or paint to prevent an uneven weathered appearance. A solid color stain is recommended over semi-transparent stain. Clear preservatives are not permitted.

Specific Submission Requirements

- Photographs showing the dwelling and marked to indicate the proposed location of replacement siding if applicable, and all elements proposed for color changes.
- Where a change in material is proposed, such as the addition of siding or brick, include elevation drawings, to scale, showing the location of all areas proposed to be changed.
- Identify the manufacturer, material and specific color "name"; and provide chips of all proposed paints or stains keyed to the elements to be finished.
- Need to provide photographs of colors schemes of all adjacent dwellings.

Decks

In general, the deck shall be an appropriate size for the area in which it is to be located, with consideration for its physical and visual impact on adjacent properties. It shall be harmonious (in configuration, detail, material and color) with the architecture of the dwelling and in compliance with all applicable building and zoning regulations. Modifications or additions to an existing deck must incorporate the same materials, colors and detailing as the builder's or approved existing deck.

Specific Guidelines

- Design and location should minimize any tree removal.
- Changes in grade or drainage pattern must not adversely affect adjoining properties. If an adjacent property is adversely affected, the Lot Owner is responsible for immediately taking whatever corrective action is necessary at their own expense.
- Decks are to be located at the rear of the dwelling. Deck and any stairs should not exceed the side planes of the dwelling. Decks should be set back 5' from the Lots lines or in accordance with any other more stringent county or town building restriction lines or ordinances.
- Upper-level decks shall be attached directly to the dwelling. Only ground level decks may be approved as freestanding decks.
- Stairs should be parallel or perpendicular to the edge of the deck or be set immediately adjacent to the deck.
- Deck should be constructed in such a way that cross braces are not required.
- A solid trim board shall be provided on any open side of the deck to conceal the joists and cut ends of the decking.
- Under deck screening should be compatible with the architecture of the dwelling and deck. Any lattice must be properly framed and recessed. The use of screening or landscaping to minimize adverse visual impact is encouraged and may be required by the ARC, particularly in the case of high decks.
- All decks, including their rails, landings and supporting posts must be constructed only of cedar, redwood, pressure-treated lumber or standard materials such as "trex" deck material. Variances may be granted for spiral metal stairways, which are similar in style and scale to the deck.

- All decks must be painted or stained or sealed, and coloring maintained to prevent an uneven weathered appearance. If painted, the color must be the same as the trim on the dwelling. If stained, the color should bring out the natural beauty of the wood. Any composite areas of the deck should be left their original color.
- Privacy screens should be constructed of lattice, properly framed and installed directly on top of the railing. The total height of the railing and screen must not exceed 6'-0" above the deck floor.
- Privacy screens should be limited to small areas of the deck.
- As a guideline, the total amount (length) of privacy screening should be limited to no more than 50% of the total linear feet of the deck.
- Any benches, flower boxes, trellises, arbors, etc., should be designed as a part of the deck.
- All dwelling styles: Any deck with storage space or storage use under the deck shall be enclosed with lattice or materials that are consistent with the design and color of the exterior of the dwelling. The storage unit must either blend in with the staircase or deck, whichever is closest.

Specific Submission Requirements

- A copy of the existing site plan showing the dwelling, Lot lines and easements, including significant vegetation, existing patios and decks, fencing, accessory structures, and the location of the proposed deck.
- Photographs showing the dwelling and site marked to show the location of the proposed deck.
- A plan, to scale and dimension, showing the dwelling and the proposed deck.
- For upper-level decks and decks of more than one level, provide elevation drawings, to scale, showing the dwelling and the proposed deck, including the height above grade, stairs and any other proposed elements.
- Detailed drawings of railings and any benches, planters, privacy screens, etc.
- Samples of proposed colors if other than pressure treated wood.
- A landscape plan, if applicable.

Fences

Fences should minimize the physical and visual impact on neighboring properties. All fences must be well designed, well-constructed and compatible with the architecture of the other improvements on the Lot.

No application to the ARC is necessary to install an invisible fence. Residents are encouraged to set invisible fences back from Lot lines in consideration of neighbors and users of adjacent Common Areas. In no case shall an invisible fence be installed beyond the Lot Owner's property line.

No fences are allowed on Lots on Dobson Branch Court and Dobson Branch Trail.

Specific Guidelines

- Materials: All Fences and any components shall be constructed of metal fencing. Vinyl, vinyl coated, other plastic type fencing or wood will not be allowed.
- Style: Fences will be considered on a case-by-case basis. No fences shall be shorter than four (4) feet tall or taller than five (5) feet from grade.
- Location: Fences must follow the property and be located within the Lot line unless a variance is requested in the ARC application and granted in writing. Fences may not extend further forward than the midpoint of the side wall of the dwelling unless a variance is requested from the ARC and granted in writing. Variance requests will be considered on a case-by-case basis.
- Temporary fencing such as plastic or wire fencing is prohibited.
- Fences must be consistent with the Lot Owner's dwelling and the overall image and character of the Community.
- Fences shall be sealed, stained or painted as approved by the ARC. The finished side shall face the street or exterior of the Lot, and the color and style of any staining or painting shall be consistent with the Lot Owner's dwelling and the overall image and character of the Community. If the ground slopes, the fence must be parallel to the ground and not "stair stepped" at the top. Fences shall be installed to slope with the grade. All vertical members must be straight and plumb, and horizontal members must be parallel with one another.
- Fence gates shall match the design, material, color and construction of the fence.
- In the case of a pool installation where an existing adjacent fence is not compliant with governmental codes for pools, the Lot Owner will either have to replace the neighbor's fence section (subject to receiving the neighbor's permission to do so) or route the required fence sufficiently far from the existing fence (e.g., around the pool instead of around the yard) to leave sufficient space for mowing between fences.
- Sufficient space for a lawn mower must exist between fences on adjacent Lots or the fences must be joined to avoid a "dead space" for maintenance.
- Fences should be located to avoid removing existing trees or significant vegetation. When trees or significant vegetation straddles a joint Lot line, the fence must angle in towards the Lot Owner's Lot who is installing the fence.

Specific Submission Requirements

- A copy of the existing site plan showing the dwelling, patios and decks, existing fences, accessory structures, significant vegetation, Lot lines and easements, and the location of the proposed fence.
- Photographs showing the dwelling and proposed fence location. Such photos must include any existing neighbor fences.
- A drawing or photograph of the fence design, including dimensions, material and color.
- A landscape plan showing proposed plantings, as applicable.

Flag Poles/Flags

- Flagpoles that are attached to the dwelling and are removable are permitted.
- Free-standing, permanent flagpoles are not allowed.

- Flags, banners and flagpoles should be located so as to minimize their impact on neighboring properties.
- Pole should be attached to the structure of the dwelling and not to exceed six (6) feet. The colors, design and message of the flag or banner will not be reviewed. No flags shall be displayed on the Association's Common Areas, unless approved by the Association.

Specific Guidelines

- No more than two structure-mounted pole flags will be permitted on any dwelling.
- The flag or banner should not exceed 15 square feet in size.
- Any flags displayed shall be in good condition.
- Frayed, torn, or faded flags should be removed immediately.
- Flags or banners for advertising are strictly prohibited, except by a developer on a model home.

Submission Requirements

- Application is not required, provided that the flag installation is in accordance with these Rules and Regulations.

Garage Doors

An application is not required if replacement of garage doors is consistent with the style and color installed by the builder; otherwise, an ARC application is required.

Specific Guidelines

Replacements

- New door(s) must be compatible in style and character with existing garage door(s), and their proposed locations must be appropriate to the architecture of the dwelling.
- Individual replacement door(s) must match or be compatible with existing garage door(s) in design, configuration, material, frame width, and color.
- Garage door(s) shall have clear glass. Highly reflective glass tinting is not permitted. Energy-saving or UV restricting window film is permitted.

Specific Submission Requirements

- Photographs showing the dwelling, existing windows and doors and the proposed location of new and/or replacement door(s).
- Catalog photographs or manufacturer's "cutsheets" identifying door type and style, including the specific "name" of the window, if applicable, and dimensions, materials and colors.
- A sample of the door frame finish and color, if applicable.

Gutters

Gutters must match or complement the existing trim color or area of the home to which they are attached. Extensions of downspouts at ground level are discouraged because of drainage considerations on adjoining properties and open spaces. All downspout extensions must be

buried in such a manner to adequately manage runoff, according to correct engineering practices and local codes.

Lighting

Lighting, including both decorative and security lighting, shall be selected and located so as to be an integral part of the dwelling and yard.

Lighting shall be selected and located so as to minimize its impact on neighboring properties. The location of security lights on the dwelling should be as inconspicuous as possible. Fixture design, wattage, color, location and direction should minimize glare on-to neighboring properties, pedestrian walkways, and streets.

No application to the ARC is required for the replacement of an approved lighting fixture with an exact match or one that is substantially the same in type, size and appearance.

Specific Guidelines

- Lighting must be a "white" color such as incandescent, metal halide, mercury vapor, etc. Color corrected "white" high-pressure sodium may be considered on a case-by-case basis. Residents should also refrain from introducing lights that significantly vary in brightness from their adjacent neighbors' lighting.
- A new or replacement light fixture should be either an exact match or compatible in style, design, size, color, finish, type and lamp wattage with the original or approved fixture it is replacing.
- The light fixture style must be consistent throughout the Lot.
- Security lighting such as spotlights or floodlights should be selected and located so as to minimize its impact on neighboring properties. Fixtures should be shielded and mounted under or immediately below the eaves.
- Security light fixtures (floodlights) will not be approved as replacements for decorative post lamps or fixtures at entry doors.
- Wall packs or high intensity "barnyard" fixtures are required to be reviewed.
- Exterior light fixtures should be "hard-wired" so that there is no visible wiring. Conduit must blend in with the surrounding areas.
- Lighting cannot unreasonably intrude onto neighboring Lot or into neighboring dwellings.

Seasonal Lighting

Seasonal holiday lighting will not be reviewed. Those Residents wishing to display holiday decorations should remember to be considerate of their neighbors. No outdoor displays shall spill over onto neighboring Lots, and decorations shall be kept within property setback lines. Lights shall be displayed no earlier than thirty (30) days before the holiday and shall be removed no later than fourteen (14) days thereafter.

Specific Submission Requirements

- A copy of the existing site plan showing the dwelling, and any accessory structures, driveway, sidewalk, fencing, significant vegetation, property lines, easements, and the location of the existing and proposed (new or replacement) lighting.

- Photographs showing the dwelling and site marked with the locations of all proposed lighting.
- Catalog photographs or manufacturer's "cut sheets" of lighting fixtures, including dimensions, wattage, type of lamp, finish and color.
- Drawings describing custom fixtures, where applicable.

Mailboxes

All mailboxes are to be the same design and style in keeping with the original construction of Bent Creek. The Lot Owners are required to maintain their mailboxes in a clean and neat fashion, which includes keeping the mailbox painted and in good repair. Lettering on the mailboxes shall have a consistent font, size, and appearance throughout the neighborhood. Visit www.bentcreekhoa.org for specific font and mailbox requirements. No coverings, decorations, or designs are permitted on any mailbox.

Conditions that are considered in need of maintenance

If the mailbox or supporting post are in need of replacement due to a deteriorating or damaged condition, the support and box must meet the requirements noted herein. The following is a minimum list of issues that are considered deterioration and/or damaged for the mailbox and/or its post:

- Mailbox post is leaning
- Mailbox and/or Mailbox post has been knocked down
- Mailbox and/or Mailbox post is not harmonious with neighborhood
- Mailbox is missing
- Mailbox is rusted
- Mailbox is damaged (door missing, dented, etc.)
- Mailbox is not painted black
- Mailbox paint is faded
- Mailbox post and/or mailbox has mold/mildew
 - If the support structure and mailbox are in good condition, they do not need to be replaced, just cleaned.

Identification of Violations

At the direction of the Association, a periodic inspection of the community will be performed in order to identify deficiencies in mailbox maintenance. Lot Owners with identified maintenance problems will be notified of the problem in writing. The Association shall request corrective action to be accomplished within a stipulated time frame depending upon the severity of the violation.

Procedures and Charges for Violations

The Association shall, after notice is given to the Lot Owner involved and such action has not been taken by the Lot Owner, repaint or replace the mailbox support post, mailbox, or add or replace house numbers thereon. All costs incurred by the Association shall be charged to the Lot owner.

Patios

A patio shall be designed and located to be harmonious with the size and scale of the dwelling and to mitigate the impact of its use upon neighboring properties. A patio is a surface that is above ground and no higher than 24 inches from the ground, but above grade.

In general, the patio shall be an appropriate size for the area in which it is to be located and should be constructed of concrete, slate, brick or other masonry or stone material. A patio may not be constructed of asphalt.

Modifications to existing patios must incorporate the same materials and detailing as an approved existing deck (if applicable).

Specific Guidelines

- The patio shall be designed as an integral part of the dwelling and property.
- Design and location should minimize any tree removal.
- Changes in grade or drainage pattern must not adversely affect adjoining properties. If adversely affects drainage, the Member is responsible for correction.
- The patio is set on the natural grade with a border no more than one timber (6 inches) high.
- The preferred location is in the rear or side of the dwelling. Front or street facing side yard patios will not be approved.
- For patios with space underneath for storage or otherwise, landscaping or lattice must cover all sides so the area under the patio is not visible.
- For on-ground patios, no lattice is required.

Specific Submission Requirements

- A copy of the existing site plan showing the dwelling, property lines, easements, significant vegetation, existing patios and decks, fencing, accessory structures, and the location of the proposed patio.
- Photographs showing the proposed location of the patio.
- A plan, to scale, showing the existing dwelling and the proposed patio, including materials.
- Detailed construction drawings of railings, steps, etc.
- A landscape plan, as applicable.

Ponds

Decorative garden ponds require prior written approval of the ARC. Garden ponds must be located in rear yards. All garden ponds shall be set back 5 (five) feet or more (as may be determined by the ARC) from the nearest Lot line to allow for adequate separation from adjacent Lots and to provide room for landscaping and/or screening. Ponds shall not create a noise nuisance to adjacent properties. Prefabricated molded pond basins shall be decorated with natural stones, and the basins shall not be seen from adjacent properties. The height of any

waterfall shall not exceed 2 (two) feet and the size of the pond shall not exceed 8 (eight) feet long by 8 (eight) feet wide.

Any adverse drainage impacts, which might result from the construction of a garden pond, shall be considered and remedied – this includes draining of the pond. The water in the pond shall be maintained and kept clean. Failure to keep the water clean and fish healthy (if applicable) shall be considered a violation of the terms of approval and removal of the pond may be required.

All ponds must meet Town and / or County Standards for free standing bodies of water and the homeowner assumes all liability related to the presence of such a feature on the Lot.

Play Equipment

Permanent play equipment should be selected and located so as to minimize its visual and acoustical impact on adjacent properties. Design and location should visually integrate the structure into its surroundings and should take advantage of any screening provided by existing vegetation.

When considering play equipment, the size of the Lot, location of wooded areas, equipment size, material, color, relationship to adjacent dwellings and amount of visual screening are important factors. Play equipment must be placed in rear yards. The installation of play equipment in Common Areas is prohibited, except as placed by the Association.

The equipment must be maintained and in good working condition.

Specific Guidelines

- Play equipment should be sturdily constructed of durable materials and finished in a natural color or left to weather naturally. Plastic, cloth or metal equipment, not including wearing surfaces such as slides, poles and climbing rungs, must be finished in muted colors. Earth tone colors are encouraged.
- Portable play equipment that is easily transportable by one person need not be approved.
- Play structures shall be built a minimum of 6 feet from all property lines.

Specific Submission Requirements

- A copy of the existing site plan showing the dwelling and any accessory structures, fences, significant vegetation, property lines, and the proposed location of the play equipment.
- Photographs showing the existing dwelling, “cut sheets” of the play equipment, including dimensions, and site marked with the location of the proposed play equipment.
- A catalog photograph or manufacturer's materials, and colors.
- If equipment is to be constructed, include a plan and elevation drawing, to scale, identifying dimensions, materials, and colors.
- Where applicable, provide a planting plan indicating the proposed type and location of vegetation.

Rain Barrels

Rain barrels and other similar rainwater harvesting systems must be approved in writing by the ARC if in view from any street, neighboring Lot, or Common Area.

Rain barrels and other similar rainwater harvesting systems must be located in an inconspicuous location and take advantage of less visible areas of the side or rear yards. It may not be located in front yards. The color and finish of the product must be complementary and compatible with its surroundings.

The overflow shall discharge in the same location as the downspout to which the system is connected and shall not create adverse drainage conditions.

Retaining Walls

Retaining walls shall be designed and located to be harmonious with the architecture of the dwelling and to mitigate the impact upon neighboring properties.

In general, the retaining wall shall be constructed of brick, decorative concrete, or natural stone material. Retaining walls constructed from wood railroad ties (or similar lumber) are not acceptable. Every effort should be made to eliminate guardrails, which may be required by code, by terracing walls or by reducing wall height.

Specific Guidelines

- Walls should be as unobtrusive as possible and built to the minimum height needed and should be securely constructed with tiebacks or dead-men as needed.
- Walls should be made of durable materials that are compatible in color and appearance with their environment. Depending upon location, brick, decorative concrete or natural stone are appropriate.
- The top of the wall must be stepped to accommodate a change in grade.
- Depending on size, material and location, retaining walls may require landscaping to soften the visual impact of the wall.
- Retaining wall design will be in accordance with local codes. Design layout of retaining wall will minimize the impact of guardrails. All guardrail design shall be compatible with the architectural style of the adjacent structure.
- Drainage must not negatively impact neighboring properties and is the responsibility of the Lot Owner to correct.

Specific Submission Requirements

- A copy of the existing site plan showing the dwelling, driveway and any accessory structures; including pools, decks, patios, fencing, walks, significant vegetation, property lines and easements.
- Photographs showing the dwelling and the property.
- A landscape plan identifying plant material, accurately located and drawn to scale.
- For retaining walls or terracing, include drawings that show the existing and proposed grading.

- Where structural elements are proposed, include drawings showing design and installation details.

Roofing

New or replacement roofing, including the design and material, shall be appropriate in appearance and quality to the style and design of the dwelling. Asphalt shingles are the only roof material permitted. Color of the asphalt shingles should be compatible with other existing or proposed exterior colors and materials on the dwelling.

No application to the ARC is required for the replacement of existing roofing that is similar in material and color. Changes in color or material will require an application to the ARC and prior written approval.

Specific Guidelines

- No change in material is permitted without prior written approval of the ARC.
- Changes in material, such as a change from cedar shakes to asphalt shingles, and changes in color must comply with the Restrictive Covenants and Rules and Regulations and require an application to the ARC and prior written approval. All such changes shall be considered on a case-by-case basis.
- When replacing roofing, the entire structure should be reroofed at one time. Partial reroofing is not allowed unless the additional replacement roofing exactly matches the existing roofing.
- Replacement roofing material and associated elements should be similar in appearance and quality to the existing approved roofing.

Specific Submission Requirements

- Photographs showing the dwelling and roof.
- The manufacturer and specific color "name" of the proposed roofing material, and a sample.
- If possible, a sample of the existing roof material.

Security Devices

Security devices including cameras and alarms shall be selected, located and installed so as to be an integral part of the dwelling and not distract from its architecture and appearance. An application to the ARC is not required for externally visible security devices. When installing security cameras, special consideration and care should be given with respect the privacy of neighboring properties and governmental laws and regulations.

Specific Guidelines

- Cameras and housings, sirens, speaker boxes, conduit and related exterior elements should be unobtrusive and inconspicuous. Such devices should be located where not readily visible and should be a color that blends with or matches the surface to which attached.

Shutters

Shutters should be harmonious with the architecture of the existing dwelling regarding the style, size, material and color of the shutters. Shutters must be equal, or approximately equal by standard manufacturers' standards, in length to the height of the window

No application to the ARC is required for the replacement of existing approved shutters with shutters that are the same in style and color.

Specific Guidelines

- New shutters should be applied to all windows on an elevation, on both sides of a window, and matching the size and configuration of the window.
- Removal of existing shutters without replacement must be submitted for review and approval by the ARC.
- A change in shutter style, size, or color will require ARC approval.

Specific Submission Requirements

- Drawings or photographs showing the dwelling and the proposed location of shutters.
- Catalog photographs or manufacturer's "cut sheets" of the shutters including dimensions, materials and samples of colors.
- Information regarding existing shutters on the dwelling, where applicable.

Siding

Siding style, material and color shall be compatible with that of the dwelling. No application is required for the replacement of existing siding with siding that is identical in style, size, material and color.

Specific Guidelines

- When replacing siding, all existing siding on the dwelling should be replaced at one time. Partial siding replacement is not allowed unless the replacement siding exactly matches the existing siding.
- The proposed siding material and trim details should be similar in appearance to the existing approved siding.
- The proposed siding color should be the same as the existing siding color. Changes in color will be reviewed on a case-by-case basis, and should not match the adjacent neighbors siding.
- Photographs of neighbors' colors must be provided with the application.

Signs/Temporary Signage

No commercial or business sign shall be displayed on any Lot, except as specifically permitted in the Restrictive Covenants.

All signage must comply with the local ordinances and regulations.

Specific Guidelines

- Political yard signs – Do not require an ARC approval. A maximum of two (2) twenty-four inch by twenty-four inch (24" x 24") signs per front yard are allowed and may be used within forty-five (45) days of an election. Signs must be removed immediately after the election is completed.
- Real Estate Signs – Do not require an ARC approval. One temporary sign advertising the property for sale or rent is allowed. One "Open House" sign may also be used on the day of the open house. Signs may not exceed 6 square feet in size. All real estate signs must be removed after three (3) days from the date of conveyance of the Lot or the execution of the lease agreement, as applicable. Owners are responsible for ensuring that Listing Agents remove temporary Open House signs immediately after every showing. Additionally, no use of balloons or other props shall be allowed.
- Security Signs – Do not require an ARC approval and may be posted within 10 feet to the immediate left or right of, and/or extending two (2) feet forward of the front and rear entrance of a home.
- Signs shall not obstruct any traffic sight lines.
- Signs must be well constructed, with good quality materials and must be maintained in an orderly manner (perpendicular to the ground) at all times.

Solar Energy and Wind Collection

Written approval by the ARC is required for solar energy collection devices (i.e. solar panels or collectors). The quality, design, color, type, style, configuration and location of the proposed solar collectors must be compatible and visually integrated with the architecture of the dwelling and of neighboring properties.

Specific Guidelines

- All solar collector (panel) installations shall be reviewed on a case-by-case basis.
- All framing, piping, control devices and wiring must be painted to match the color of the roof or the element upon which it is installed. Exposed wiring is prohibited. Wiring shall be concealed inside the structure or in unobtrusive conduit.
- Roof-mounted solar collectors (panels) must be flush-mounted and parallel with the roofline upon which it is installed.
- Ground mounted solar collectors are not allowed.
- Solar panels that are no longer in use or in good working order shall be promptly removed and discarded.
- All solar panels must be maintained in good condition at all times.
- Installation and use must adhere to Federal and Local guidelines.

Installation of wind turbines and other forms of wind collection are prohibited.

Note: The Association does not currently have a Green Energy Plan or a standard of acceptable technology. As alternative energy technologies continue to evolve, the Association may review and consider applications on a case-by-case basis.

Spas & Tubs

Spas/hot tubs should be selected, designed, and located so as to minimize their impact on neighboring properties. In general, a spa/hot tub should be integrated visually and structurally with a rear yard deck or patio and be screened from view.

Specific Guidelines

- Spas/hot tubs shall be located in the rear yard.
- No more than one spa/hot tub is permitted on any Lot.
- When set on a deck, the spa/hot tub should be integrated both visually and structurally into the deck.
- Any mechanical equipment, pipes and wiring must be concealed or screened from view.

Specific Submission Requirements

- A copy of the existing site plan showing the dwelling and any deck, patio, fencing, accessory structures, significant vegetation, property lines, and the proposed location of the spa/hot tub.
- Photographs showing the dwelling and site for the proposed spa/hot tub.
- Drawings, to scale, including plan and elevations, construction details and materials.
- A catalog photograph or manufacturer's "cut sheets" with dimensions, materials, and colors.
- If the use of fencing is proposed, include drawings indicating location, dimensions, details, and material.
- Where applicable, provide a planting plan indicating the proposed type and location of landscaping.
- Detail any planned lighting.

Storage Sheds/Out Buildings

No structure of a temporary character, including without limitation, dog houses and dog runs, shall be permitted on any Lot.

Miscellaneous Storage

Garden hoses should be stored either indoors, mounted on reels on the side or rear of the house, or stored in an enclosed garden hose storage container in a neat and attractive manner. There shall be no garden hose reels installed or mounted on the front façade of a dwelling, except one (1) hose reel is permitted to be mounted within three (3) feet of a hose spigot that is on the front façade of a dwelling so long as the hose is stored in a neat manner.

Bicycles and other children's toys should be stored in the garage or out of view from the street when not in use. Bicycles shall not be stored on the front porch or front lawn for longer than a 24-hour period.

Towels, clothes, and other items are not permitted to hang on porch railings or privacy fences at any time.

All household and maintenance items such as wheel barrows, ladders, lawn mowers, snow blowers, bins etc. should not be left in open view and should be stored within a closed area such as a garage and/or behind fenced enclosure or “out of sight” from the road and neighboring properties view.

Swimming Pools and Water Areas

When planning swimming pools, the size of the property, relationship to adjacent dwellings, and the size of the pool and related accessory structures must be considered. The location of pools must minimize their visual and acoustical impact on adjacent properties. Design and location should visually integrate the structure into its surroundings and should take advantage of the screening provided by existing vegetation. Town approval is required.

Specific Guidelines

- Swimming pools shall be located in rear yards as far away from adjacent dwellings as possible. No swimming pool shall be located in a front or side yard.
- Mechanical equipment and other utility accessories must be located so as to minimize the visual and acoustic effect on the adjacent property and minimize the acoustical impact to adjacent property.
- No above-ground pools will be permitted.
- A separate application to the ARC is required for any fencing.

Specific Submission Requirements

- A copy of the existing site plan showing the dwelling, any deck, patio, fencing, accessory structures, significant vegetation, property lines, and the proposed location of the swimming pool and accessory structures, including mechanical equipment.
- Photographs showing the dwelling and the proposed location of the swimming pool.
- Detailed drawings, to scale, including plans and elevations, construction details, materials and colors of accessory structures.
- Manufacturer's literature identifying the type of fence and drawings indicating fence location, dimensions, details, material and color.
- A landscape plan indicating the type and location of proposed landscaping.
- Drawings or cut sheets of any lighting. Any above ground enclosure or structure will require review and approval for compatibility with architecture guidelines.
- A copy of approved Town building permit.

Trash Enclosures/Grills/Fire Pits/Firewood

Trash enclosures, permanent grills, fire pits, and firewood storage should be located so as to minimize their visual impact on adjacent neighbors.

Specific Guidelines

Trash Enclosures: Trash enclosures are permitted to allow the outside storage of recycling and trash containers. Only one (1) trash enclosure per Lot is permitted. Enclosures shall be in the

rear or side of the dwelling. For enclosures on the side of the dwelling, screening with landscaping is required. Placement and size will be considered on a case-by-case basis.

- Trash enclosures are prohibited in front yards.
- The enclosure should be sturdily constructed of wood, brick, stone or landscaping materials compatible with the adjacent architecture or approved fencing guidelines.
- The enclosure must be painted or stained to compliment the siding.
- If visible from the street, the enclosure should be screened by vegetation.
- The trash enclosure should be maintained so that it does not create a visual or environmental nuisance.

Grills: All permanent grills must be placed in the rear yard of the dwelling and as far as practical from the adjacent property lines.

- Permanent grills shall not be a dominant fixture on the landscape and shall be located so they will blend as much as possible with the natural background.
- Supplemental planting shall be provided to soften the visual impact of the grill, particularly when little or no natural background or screening is available.
- Portable grills shall be stored behind the rear plane of the dwelling.

Firewood:

- Firewood shall be kept neatly stacked, only on the rear ground level of the Lot Owner's Lot.
- Firewood should be stacked in piles that do not exceed six (6) feet in length and four (4) feet in height for both aesthetic and safety considerations.
- A limited quantity of firewood intended for immediate use shall be allowed to be stacked on patios or decks.
- Wood shall not be stacked on driveways, the front yard, or side yard(s) of a Lot.

Fire Pit:

- Fires must be contained and never be unattended. Ashes must be properly stored or disposed. Fire Pits should be maintained and cleaned on a regular basis
- Gas pipes and wires must be hidden.
- Wood burning fire pits are not permitted on decks.
- Compliance is required per Williamson County burn ordinances.

Specific Submission Requirements

- A copy of the existing site plan showing the dwelling, any accessory structures, significant vegetation, Lot lines, and the location of the proposed trash enclosure.
- Photographs showing the dwelling and site marked to show the location of the proposed enclosure.
- Include a plan and elevation drawing(s) identifying dimensions, material, and color.
- Where applicable, provide a planting plan indicating the proposed type and location of vegetation or other screening, existing or proposed.

Tree Removal

Trees are an integral part of the overall image and character of Bent Creek and must be protected. Live trees located on Lots, within Common Area woods, and other natural areas may not be disturbed without specific written pre-approval from the Association. In general, the removal of trees will be approved if the tree is dead or if there is danger to person or property or if detrimental conditions exist. Detrimental conditions include the physical intrusion by roots and branches on dwellings in a way that causes damage, excessive shade, or blocks views and sight lines. Overgrowth may also be considered detrimental.

Due to the proximity of Lots, the removal of trees on individual Lots will be reviewed on a case-by-case basis.

Specific Guidelines

- Prior written approval of the ARC is required to remove any live tree with a diameter in excess of four (4) inches, measured twelve (12) inches above ground
- Prior written approval of the ARC is required to remove any live trees in excess of two (2) inches in diameter, similarly measured which are generally known as flowering trees (such as Dogwood or Redbud) or as broad leaf evergreens (such as Holly, Laurel, or Rhododendron).
- The installation of an appropriate replacement tree is recommended. Minimum replacement tree size shall be two (2) inches diameter for a deciduous evergreen tree and two (2) inches diameter for an ornamental tree.
- If a tree is in imminent danger of damaging any property or person, it is permissible to remove on an emergency basis. Include photographs of the conditions that justified the removal in an ARC application within thirty (30) days of the incident.

Submission Requirements

- For street-lined tree replacements, solicit the pre-approved tree list from the Landscaping Committee
- A copy of the existing site plan showing the dwelling, driveway, property lines and the location of tree(s) to be removed.
- Photographs showing the dwelling and the property identifying the tree(s) to be removed.
- A description of the tree(s) to be removed and the reason for removal. The tree(s) should be marked with a ribbon or spray paint for easy identification.
- Information regarding any replacement plantings, if applicable.
- Arborist report, if applicable.

Trellises/Arbors/Gazebos

Trellises, arbors and gazebos should be designed and located so as to be compatible with the existing dwelling in style, character, scale, materials and colors. All structures shall be well maintained.

Instant canopies, tents, tarps and seasonal pop-ups must be removed within three (3) days of an event.

In general, the addition of a trellis should be integrated visually and structurally with the rear deck of the dwelling.

Arbors

An arbor is a decorative bar supported by vertical shafts for the purpose of supporting vines or hanging plants. Arbors shall not exceed eight (8) feet in height from the ground or deck floor level and shall not be enclosed to create a solid barrier. Arbors as described herein are permitted on decks, patios, fences, gates, or can be freestanding decorative elements. Arbors may not be located past the side plane of the dwelling. If attached to a deck, the material and color must be the same as the deck. Arbors cannot be directly above a fence or gate. Freestanding arbors should complement the overall composition of the yard.

Gazebos

Gazebos will be approved based on size, material, and location. The size shall be compatible with the dwelling and lot size.

Specific Guidelines

- The preferred location should be integrated with the rear yard deck. A freestanding gazebo, trellis or arbor must be located in the rear yard.
- Size, height, materials, and colors should be harmonious with the size of the property and the architecture of the dwelling, deck, patio, fence, etc.

Specific Submission Requirements

- A copy of the existing site plan showing the dwelling, any deck, patio, fencing, accessory structures, significant vegetation, Lot lines, and the proposed location of the trellis, arbor or gazebo.
- Photographs showing the dwelling and the proposed location of the trellis or arbor.
- Drawings, to scale, including plan and elevations, materials and colors.
- If a prefabricated trellis/arbor is proposed, include a catalog photograph and/or manufacturer's "cut sheets" with dimensions, materials and colors.
- Where applicable, provide a planting plan indicating the type and location of proposed landscaping.

Waterslides, Slip and Slides, and other Water Play Equipment

Waterslides, slip and slides, and other such water-related recreational items shall be considered temporary and shall not require approval of the ARC. However, the visual, noise and drainage impact to neighbors shall be considered. Any such use that is found to cause an excessive visual, noise and/or drainage impact to adjacent neighbors or Lot shall be prohibited. In no event shall such water-related recreational items be kept continuously on a Lot for longer than a forty-eight (48) hour period.

Windows

Windows shall be compatible in style with the architecture of the dwelling. Storm/screen windows should have frames that coordinate with the existing design and color of the exterior window

trim. Any changes to design of existing windows require an application to the ARC and prior written approval. Storm/screen windows must not distract from or alter the appearance of the dwelling.

Windows shall be of quality material and workmanship, and consistent in proportion, detailing and style. The type, style, material, color, detailing and installation of a new or replacement window must be consistent with that of existing windows.

No application to the ARC is required for the replacement of existing windows, and/or the installation / replacement of storm/screen windows that are the exact same in type, style frame width, and color.

Specific Guidelines

Window Additions/Replacements

- New windows, including sliding or French doors, must be compatible in style and character with existing windows, and their proposed locations must be appropriate to the architecture of the dwelling.
- Individual replacement windows must match or be compatible with existing windows in design, configuration, material, frame width, and color.
- Windows shall have clear glass. Highly reflective glass tinting is not permitted. Energy-saving or UV restricting window film is permitted.

Storm/Screen Windows

- Storm/screen windows must not substantially alter the appearance of the existing windows.
- When installed over existing windows, storm screen window frames should be of the same material and have a similar color as the existing window frames.
- Additional storm/screen windows must match the type, material, frame width, and color of the existing storm/screen windows.
- Storm/screen windows must be kept in good repair.

Specific Submission Requirements

- Photographs showing the dwelling, existing windows and doors and the proposed location of new and/or replacement windows.
- Where new windows are proposed, elevation drawings, to scale, showing the existing dwelling and the proposed location of the windows.
- Catalog photographs or manufacturer's "cutsheets" identifying window type and style, including the specific "name" of the window, if applicable, and dimensions, materials and colors.
- A sample of the window frame finish and color, if applicable.

Wires and Cables

General Considerations: Wires and cables, including those installed to convey radio or television signals, shall be hidden, buried or secured flush with the side of each dwelling (and painted to match the siding) so as to minimize their visibility.

Miscellaneous

Accuracy of Information

Any person submitting plans to the ARC shall be responsible for verification and accuracy of all components of such submission, including, without limitation, all site dimensions, grades, elevations, utility locations and other pertinent features of the site or plans.

Animals

Dogs, cats, and other permitted household animals cannot be free to roam the neighborhood per the Rules and Regulations of Williamson County known as the “Leash Law”. When a household animal defecates upon property not belonging to the Owner, it is the Owner’s responsibility to clean up after the animal, at or very near the time of defecation and to dispose of said waste properly.

As stated more fully in Article VIII, Section 4 of the Restrictive Covenants, only household pets may be kept on any Lot, provided they are not kept, bred, or maintained for any commercial or breeding purposes.

Design Guidelines and Governmental Standards

Where the provisions of applicable Town of Nolensville or Williamson County Standards are more restrictive than the provisions of these Rules and Regulations, the most restrictive standards shall be controlling. Where the provisions of these Rules and Regulations are more restrictive than the provisions of the applicable Town of Nolensville or Williamson County Standards, then these Rules and Regulations shall be controlling. No variance from the Town of Nolensville or Williamson County Standards may be requested unless the prior written approval of the ARC has been obtained.

Duty to Maintain

As set forth in more detail in the Restrictive Covenants, Lot Owners shall, at their sole cost and expense, repair their dwelling, keeping it in a neat and attractive condition comparable to that at the time of its initial construction.

Fair Housing Act considerations:

The Fair Housing Act makes it illegal to discriminate in the buying, selling or renting of a home because of a person’s race, color, national origin, religion, sex, familial status and disability. One of the many protections of the Fair Housing Act is the right of individuals with disabilities to request a reasonable accommodation in the rules, policies, practices, or services of a housing provider or associations that set terms and conditions for housing. Examples of reasonable accommodation requests include a request to add a ramp to make a primary entrance accessible for persons in wheelchairs or allowing a service animal in common areas they normally are not permitted. Any Lot owner needing to request an accommodation pursuant to the Fair Housing Act, 42 U.S.C. 3601, *et seq.*, as amended from time to time, (“FHA”) may provide notice of such request to the Property Management Company with whom the Association has contracted.

When elected for the first time, each board member shall participate in a minimum of two hours of FHA training.

Lot Owner and/or Applicant Representation

By the act of entering into the review process with the ARC, each Lot Owner represents that all representatives of such Lot Owner, including, but not limited to, the builder, architect, engineer, and/or subcontractor, such agents and their employees, shall be made aware by the Lot Owner of all applicable requirements of the ARC and shall abide by the Restrictive Covenants and these Rules and Regulations with respect to approval of development plans and specifications.

Non-Liability of the ARC

Neither the Association nor its respective members, board, committees, successors, assigns, agents, representatives, employees or attorneys shall be liable for damages or otherwise to anyone or to any Applicant by reason of mistake in judgment, negligence or nonfeasance, arising out of any action of the ARC with respect to any submission, or for failure to follow these procedures, Rules and Regulations or the Restrictive Covenants. The role of the Association is directed toward review and approval of site planning, appearance, architectural design and aesthetics. The Association assumes no responsibility with regard to design or construction, including, without limitation, the civil, structural, mechanical, plumbing or electrical design, methods of construction, or technical suitability of materials.

Payment of Assessments

All Lot Owners shall timely pay any Assessments within thirty (30) days of the due date of any Assessment.

- a. If said Assessment has not been paid within thirty (30) days of its due date, the Board, or a representative of the Association's property management company at the Board's request, shall send written notice to any Lot Owner of his/her failure to pay the Assessment ("First Notice of Nonpayment") and demand that said Assessment be paid immediately. Said First Notice of Nonpayment shall state:
 - i. That the Assessment is thirty (30) days past due;
 - ii. That the unpaid Assessment shall become a lien on the Lot Owner's Lot;
 - iii. That the Lot Owner's voting rights and rights to use any of the recreational facilities are suspended during the period of nonpayment of the Assessment.
- b. If the Assessment, including any accrued interest, has not been paid within sixty (60) days after the due date of said Assessment, the Board, or a representative of the Association's property management company at the Board's request, shall send a second written notice to the Lot Owner giving notice that the Assessment has not been paid and that the Board will proceed to foreclose on the lien and/or take all necessary legal actions if said Assessment, plus all accrued interest, is not paid by a date certain, which shall be no sooner than the ninetieth (90th) day after the Assessment's initial due date ("Second Notice of Nonpayment"). Said Second Notice of Nonpayment shall also state that the Lot Owner will be responsible for all attorney's fees, expenses, and costs incurred by the Association to collect the Assessment or other amounts due.

Nothing herein shall be construed to abrogate or waive any other rights or remedies the Association and/or its Board has available in the Declarations of Covenants, Conditions and Restrictions for Bent Creek, or the By-Laws of the Association.

Penalties for Infraction of Rules and Regulations

In the event that any rule or regulation, as set forth herein or as amended hereinafter, is violated, the Board establishes the following penalties for each infraction, except in such circumstances that the Board determines immediate action is necessary and permissible under the Restrictive Covenants:

- a. For the **first infraction** of these Rules and Regulations, the Board, or a representative of the Association's property management company at the Board's request, shall send to the Lot Owner written notice of such infraction and a reasonable time to correct or cure said infraction, which shall be no less than ten (10) calendar days (the "Notice Period").
- b. If the **infraction continues or is repeated during the Notice Period, or if the infraction is repeated within three (3) months after the date of the last written notice**, the Board, or a representative of the Association's property management company at the Board's request, shall send a second written notice to the Lot Owner giving notice of the repeated or continuing infraction and a reasonable time to correct or cure said infraction, which shall be no less than five (5) days (the "Second Notice Period").
- c. At any time after the Second Notice Period, **if the infraction continues and/or is repeated within the three (3) month period after the date of the last written notice**, the Board, or a representative of the Association's property management company at the Board's request, shall have the right to take any action, including retaining an attorney, as set forth in Article XIII, Section 1 of the Restrictive Covenants necessary to enforce these Rules and Regulations and/or the Restrictive Covenants. If the Board retains an attorney to enforce the Restrictive Covenants or the Rules and Regulations, said Lot Owner shall be responsible for all reasonable attorneys' fees and expenses and any other damages incurred by the Board, said amount becoming immediately due from and assessed against the Lot Owner.
- d. In addition, after receiving the Second Notice, the Lot Owner may give written notice of the Lot Owner's request to address the Board at its next Board meeting regarding the infraction. Therein, the Board may determine whether the infraction has been cured or corrected, whether the infraction has been repeated within a three-month period from the date of the first written notice, and/or whether the Board needs additional information. If the Board determines that the infraction has not been cured or corrected or has been repeated more than one time during the three-month period since the date of the last written notice, the Board may, in its discretion, suspend the Lot Owner's voting rights, suspend the Lot Owner's rights to use the recreational facilities of the Common Areas for a time period not to exceed sixty (60) days, and/or take any action deemed necessary to correct the violation or infraction. Nothing herein shall require the Board to cease action to stop the infraction pending the hearing before the Board.

Regulatory Compliance

It is the responsibility of the Lot Owner to obtain all necessary permits and ensure compliance with all applicable governmental regulations and other requirements. Plans submitted for ARC review shall comply with all applicable building codes, zoning regulations and the requirements

of all governmental entities having jurisdiction over the building project or property within Bent Creek. Regulatory approvals do not preempt the design review authority of the ARC, and ARC approval does not incorporate any governmental approvals, which governmental approvals shall be the sole responsibility of the Lot Owner.

Use of Common Areas

“Common Areas” of Association shall have the same definition as set forth in the Restrictive Covenants. Rules governing use and reservation of any community amenity, including, but not limited to, the Association’s swimming pool, barn structure and pavilion structure shall be determined and published to the Lot Owners. In addition to said rules:

- a. No Commercial Use: The barn structure and the pavilion located in the Common Areas of the Association shall not be used for any commercial or for-profit purpose.
- b. Use of Common Area Trails: The trails located throughout the Common Areas are for pedestrian, stroller, and bicycle use only. No motorcycle, dirt bike, four-wheeler, golf cart, or other motorized vehicle shall be permitted on the trails in the Common Area.
- c. Use of Unimproved Portion of the Common Areas: No Lot Owner may use any portion of the unimproved Common Areas in a manner that appears as if such portion is for the use of less than all Lot Owners. No structure, including playground equipment, gardens, flower beds, or fire pits, may be placed, erected, or planted in the Common Areas without prior written approval of the Board. No portable fire pits may be used in the Common Areas.
- d. Prohibited Use of Motorized Vehicles in the Common Areas: Under no circumstance shall any person use the Common Areas for motorized recreation. Using trucks, cars, motorcycles, dirt bikes, four-wheelers, golf carts, or any other motorized vehicle in the Common Areas is prohibited. Only Homeowner Association approved maintenance vehicles are allowed in the Common Areas.
- e. Alteration of the Unimproved Portion of the Common Areas: No trees, shrubbery, or landscaping shall be removed, cut, or otherwise altered by any Lot Owner, unless the express written permission of the Board is obtained in advance of such action. Under no circumstance shall any Lot Owner be permitted to plant any trees, plants, or shrubbery in a formation that indicates ownership or exclusivity of use by the Lot Owner in any portion of the Common Areas.
- f. Lawn Care in the Common Areas by a Lot Owner: A Lot Owner may mow or weed-eat portions of the Common Areas adjacent to said Lot Owner’s Lot; however, said Lot Owner shall not be entitled to compensation, credit, or remuneration from the Association for any such lawn care in the Common Areas and undertakes any such lawn care at his/her own expense.

Reservation for Short-Term Exclusive Use of the Common Areas

Any reservation for short-term exclusive use of any portion of the Common Areas by one or more Lot Owners, but fewer than all, must first be approved by the Property Management Company under guidelines set by the Board.

- a. If the Property Management Company approves the Lot Owner’s request to reserve a portion of the Common Areas for the Lot Owner’s exclusive use, the Lot Owner shall execute a release and indemnification/hold harmless agreement releasing the

Association from any liability for said use. The Association shall provide the agreement to the Lot Owner for execution prior to the date of the event.

- b. If fees or monies are collected at any event for which a portion of the Common Areas were reserved, the purpose for the collection of said fees or monies must be clear and must be expressly stated in writing to the Board as part of the request for use. Any such event shall be managed by a minimum of three (3) non-related Lot Owners, and said funds shall be deposited in trust with the contracted property management company within five (5) days of the event.
- c. At no time shall the Common Areas be reserved for the exclusive use of any Lot Owner if said use is:
 - i. For commercial or for-profit purpose; or
 - ii. For any illegal purpose.
- d. At no time shall any alcoholic beverages or illegal substances be used in the Common Areas by any Lot Owner, invitee, or guest.

Waiver, Amendment and Third-Party Benefit

The Association maintains the right from time to time, at its sole discretion, to amend or modify these Rules and Regulations. Neither the Association, Board of Directors, ARC nor its agents, representatives or employees shall be liable for failure to follow these Rules and Regulations as herein defined. These Rules and Regulations confer no third-party benefit or right upon any entity, person or Lot Owner, or builder.

Prior Approvals

To the extent that any Lot Owner has obtained prior written approval from the Association for an improvement, alteration, or addition that does not meet these guidelines, no changes must be made to comply with these Rules and Regulations unless the Lot Owner changes or alters the current condition of said improvement, alteration, or addition.

Appendixes

Appendix A – Lawn and Yard Care Policy

In order to help preserve the appearance, respectability and value of the financial investment of the homes in our neighborhood, the Bent Creek Homeowners' Association (the "Association") has developed a set of minimum standards regarding lawn and yard maintenance and landscaping of homes. The intent of the policy is to provide a uniform and consistent measurement for when the Association may be required to address inadequate maintenance or upkeep of lots within the Bent Creek community.

Each Owner and/or Renter is responsible for the normal upkeep of their yards. This includes watering, weeding mowing, pest control, routine pruning and cutting of shrubs/trees and other flora to maintain a well-kept appearance and prevent any overgrowth onto pathways and common areas. Failure to correct the following issues after written notification is considered to be a breach of the Declaration of Covenants, Conditions and Restrictions ("CC&Rs") (Article VIII Section 6). If an Owner fails to maintain the front yard and fails to cure the defect after notice from the Association or its agents, then the Association or its agents may engage a commercial landscaping company to perform any required maintenance and may separately assess such maintenance as a charge against the Lot.

The full CC&Rs of the Bent Creek community can be found on our website:

<http://www.bentcreekhao.org> under the Info section.

Definitions and Guidelines

Growing Season

The period of year or season during which grass, shrubs, trees, flowers, etc., grow best. The growing season is typically March through October.

Non-Growing Season

The period between the first frost of winter and the last damaging frost of winter. The non-growing season is typically November through February.

Lawn

The area planted with grass which is maintained at an even height. A significant portion of front yard must be lawn. The rest of the front yard can be made of up flower beds and other approved lawn decorations.

Yard

The space or grounds surrounding or surrounded by a building. This means the physical area on a Lot, including, but not limited to, the foundation plantings, all grass areas, planting beds, trees, flowers and the driveway area.

Moss

A tiny green flowerless plant that reproduces by spores and grows in tufts, sods, or mats on moist ground, tree trunks, and rocks in your yard. If left uncontrolled, it will choke out your lawn and leave large bare areas in need of replanting.

Common Areas

As defined in the CC&Rs and shown on the Bent Creek recorded plats in the Williamson County Register of Deeds. All Lot owners are owners of the Common Area.

All other terms shall be as defined in the CC&Rs as applicable.

Lawn and Grass Care

During the Growing Season it is recommended that the following actions be taken to ensure the Lawn/Yard is properly maintained:

1. Lawns must be mowed on a regular basis; lawn height not to exceed six (6) inches.
2. No part of the Lawn shall run onto paved surfaces such as sidewalks, curbs and Common Areas.
3. Lawns must be watered on a regular basis sufficient to maintain health and green color. This is weather and temperature dependent. Lawns typically need several inches of water a week to stay healthy and green.
4. Plants and shrubbery should be watered to maintain a healthy appearance.
5. Control and removal of weeds in Lawn, gardens, flower beds, sidewalks and driveways.
6. Lawn debris, including Lawn clippings should not be left along the curb, sidewalk, street, or Common Areas. Tree and shrub trimmings must be removed from view from the front Yard after the maintenance is performed until trash pick-up day.
7. Regular fertilizing is recommended but not enforced.
8. Moss is not an acceptable substitution for lawn. Moss control is recommended to be performed annually or as needed. Once moss is established it will choke out the Lawn. Lawn areas that have poor drainage or less sunlight will be more susceptible to moss than well drained areas with good sunlight.
9. Remove any and all dead plants, shrubs and trees in a timely manner.

10. If a household is on vacation for more than a week, please make arrangements to have your Yard attended while you are away. Absence does not relieve you of your obligation.

During the Non-Growing Season, it is recommended the following actions be taken to winterize the Lawn/Yard and maintain some level of Lawn/Yard care through the fall and winter months.

1. End of season flowerbed and Lawn/Yard maintenance should include pulling or spraying for weeds and a final mow of the Lawn. It is recommended that you lower the lawn mower blade to reduce disease and moss problems.
2. Rake and pick up leaves that have fallen or blown onto your property. Fallen leaves can smother the Lawn and plants if left on the ground and transmit diseases and pests to a Lawn or flower bed.
3. Winterize your Lawns (recommended but not enforced). Winterization should include adding fertilizer to the Lawn in the fall to feed the roots through the winter. Add mulch to the flower beds to protect the roots over the winter. Remove leaves and debris from rain gutters to prevent water backups during the rainy season, and put garden hoses away for winter, wrap or cover outdoor spigots, and winterize your lawn sprinkler system to prevent broken pipes due to freeze.

Yard Care

The addition of any trees, shrubs, plantings, or other landscaping bordering the street side of the Lot and/or a Common Area must be approved in writing by the Architectural Control Committee prior to planting. Lot owners must maintain landscaping across the entire front of the home. No additional trees, shrubs, or other plantings may be placed on any Lot's yard area bordering on the subdivision streets and Common Areas until a supplementary landscape plan has been approved by the Architectural Control Committee in writing. However, replacement of trees, shrubs, or other plantings with like-kind plantings is allowed without approval from the Architectural Control Committee.

Gardens are allowed in the backyard/rear of each Lot, as long as they are not visible from the street.

Shrub Care

Shrubs shall be pruned and maintained in a manner consistent with the neighborhood.

1. Dead shrubs shall be removed and replaced of similar nature and scale.
2. Mature shrubs need to be pruned to a consistent level and shall not overly obscure (1/3 to 1/2) of the front windows or doors of the home.

Tree Care

Trees shall be pruned and maintained in a manner consistent with the neighborhood.

1. All Lot owners must maintain at least (1) tree in their front Yard at least two (2) inches in diameter, which must be maintained regularly. Dead trees shall be removed and replaced of similar nature and scale. Please check with the Town of Nolensville for the approved species.
2. Mature trees need to be pruned as needed to be safe and presentable.
 - a. Branches overhanging the sidewalks should be pruned back or up to allow pedestrian traffic to pass safely. Nolensville Municipal Code Title 16 titled *Streets and Sidewalks* provides guidance on some minimal maintenance that must be done to those street trees:
 - i. **16-102. Trees projecting over streets, etc., regulated.** *It shall be unlawful for any property owner or occupant to allow any limbs of trees on his property to project out over any street, alley at a height of less than fourteen (14) feet or over any sidewalk at a height of less than eight (8) feet. (Ord. #98-24, Dec. 1998)*
 - ii. **16-103. Trees, etc., obstructing view at intersections prohibited.** *It shall be unlawful for any property owner or occupant to have or maintain on his property any tree, shrub, sign, or other obstruction which prevents persons driving vehicles on public streets or alleys from obtaining a clear view of traffic when approaching an intersection. (Ord. #98-24, Dec. 1998)*
 - iii. **16-113. Violations and penalty.** *Violations of this chapter shall subject the offender to a penalty of up to one hundred dollars (\$100) for each offence. (Ord. #98-24, Dec. 1998)*
 - b. The Association will send a written notice to the Lot owner and/or occupant if a street tree needs to be trimmed or replaced. If the Lot owner or occupant does not take action, then the Association will proceed to replace or trim the street tree. The cost of that effort will be billed back to the Lot owner, along with a service charge and all other fees, including attorneys' fees and expenses, incurred by the Association. Failure to pay the charge shall result in further collections efforts as set forth in the CC&Rs, including a lien on the Lot.

Identification of Violations

At the direction of the Association's Board of Directors, a periodic inspection of the community will be performed in order to identify deficiencies in grass, tree, bush and/or shrubbery maintenance. Lot owners with identified maintenance problems will be notified of the problem in writing. The Association shall request corrective action to be accomplished within a stipulated time frame depending upon the severity of the violation.

Procedures and Charges for Violations

The Association shall, after notice is given to the Lot owner involved and such action has not been taken by the Lot owner to correct the deficiency, authorize a third party to mow the Lawn,

clean up the Yard, and/or trim or prune the trees, bushes, or shrubbery. The cost to mow a typical Lawn to address noncompliance will be at least \$75.00. However, all costs incurred by the Association shall be charged to the Lot.

Appendix B – Mailbox Policy

In order to help preserve the appearance, respectability and value of the financial investment of the homes in our neighborhood, the Bent Creek Homeowners' Association (the "Association") has developed a set of minimum standards regarding mailbox maintenance. The intent of the policy is to provide a uniform and consistent measurement for when the Association may be required to address inadequate maintenance or upkeep of mailboxes within the Bent Creek community.

Each Owner is responsible for the normal upkeep of the Lot's mailbox. Failure to correct any issues after written notification is considered to be a breach of the Declaration of Covenants, Conditions and Restrictions ("CC&Rs") (Article VIII Section 6). If an Owner fails to maintain the mailbox and fails to cure the defect after notice from the Association, then the Association may engage a contractor to do any required maintenance and may separately assess such maintenance as a charge and lien against the Lot.

The full CC&Rs of the Bent Creek community can be found on our website:
<http://www.bentcreekhao.org> under the Info section.

Definitions and Guidelines

TBD

Conditions that are considered in need of maintenance:

If the mailbox or supporting post are in need of replacement due to a deteriorating or damaged condition, now or in the future, the support and box must meet the requirements noted herein. The following is a minimum list of issues that are considered deterioration or damaged:

- Mailbox post is leaning
- Mailbox and/or Mailbox post has been knocked down
- Mailbox and/or Mailbox post is not harmonious with neighborhood
- Mailbox is missing
- Mailbox is rusted
- Mailbox is damaged (door missing, dented, etc.)
- Mailbox is not black
- Mailbox paint is faded
- Mailbox post and/or mailbox has mold/mildew

- If the support structure and mailbox are in good condition, they do not need to be replaced, just cleaned.

Identification of Violations

At the direction of the Association's Board of Directors, a periodic inspection of the community will be performed in order to identify deficiencies in mailbox maintenance. Lot owners with identified maintenance problems will be notified of the problem in writing. The Association shall request corrective action to be accomplished within a stipulated time frame depending upon the severity of the violation.

Procedures and Charges for Violations

The Association shall, after notice is given to the Lot owner involved and such action has not been taken by the Lot owner, repaint or replace the mailbox support post, mailbox, or add or replace house numbers thereon. The cost to address noncompliance will be at least \$____. However, all costs incurred by the Association shall be charged to the Lot.

Appendix C – Parking Policy

In order to help preserve the appearance, respectability and value of the financial investment of the homes in our neighborhood, the Bent Creek Homeowners' Association (the "Association") has developed a set of minimum standards regarding parking. The intent of the policy is to provide a uniform and consistent measurement for when the Association may be required to address parking within the Bent Creek community.

Illegal parking and lack of enforcement is one of the most common complaints heard by the Board of Directors. Abandoned cars, incorrect or illegal parking, parking on landscaping, and other parking violations detract from the appearance of Bent Creek, inhibit emergency vehicles from responding to calls quickly and monopolize available parking spots.

The Town of Nolensville is working with the Association and your property management company on a plan to install "No Parking" signs within the community to address a Life Safety issue, specifically emergency access to you and your neighbors. Some streets in the neighborhood had cars parked on both sides of the street, and many are not wide enough to allow an emergency vehicle to reach you in a crisis when cars are parked on the street.

The Town of Nolensville staff met with the Association to review the options available to help alleviate the parking issues. The Town of Nolensville will be installing new "No Parking" signs for the entire community. Once installed NPD will assist and enforce parking restrictions. The sign locations have been identified and verified by the Town of Nolensville. Signs will be installed the Summer of 2020.

The full Declaration of Covenants, Conditions and Restrictions ("CC&Rs") of the Bent Creek community can be found on our website: <http://www.bentcreekhao.org> under the Info section.

Definitions and Guidelines

See CC&Rs.

Sign Locations

The Town of Nolensville has determined that signs will be placed at the following locations.

1. Bent creek Trace (Main entrance right next to Sawmill intersection)
2. Bent Creek Trace (opposite end, across from Maybell Pass intersection)
3. Dante Ranch Entrance (near 500 Dante Ranch Lane)
4. Ellis Place Entrance
5. Falling Water Entrance (near address 5164 Falling Water)
6. Lodge Hall Entrance (across from 108 Lodge Hall Road)
7. Near address 4632 Sawmill Place
8. Between 6138 Christmas Drive & 5072 Falling Water

One-Sided Street Parking Prohibition

No parking shall be allowed on the side of the street with even house numbers. This rule applies to all streets in the Bent Creek Subdivision. This will be enforced by the Town of Nolensville.

History of Rule

The number one complaint in Bent Creek is street parking! No one wants cars parked in front of their house or on the street, period. We cannot completely stop street parking, but the board has worked with the Town on options.

All streets within Bent Creek are public streets and fall under this jurisdiction, although Bent Creek's restrictive covenants are more restrictive. Currently, the Nolensville Municipal Code, Title 15 Chapter 6 titled *Parking*, states that parking is not allowed on any public street for more than seventy-two (72) consecutive hours without prior approval of the Town of Nolensville. Nolensville Municipal Code Title 15 Chapter 6 section 15-604 outlines where parking is prohibited and lists those many locations or situations.

Our Bent Creek restrictions on street parking, located in Article VIII Section 3 (c) and (d) in our CC&Rs, state in part:

(c) ... No trailer, boat, truck, or other vehicle, except an automobile shall be parked on any street in the subdivision for a period in excess of one (1) twenty-four (24) hour period in any calendar year.

(d) No automobile shall be continuously or habitually parked on any street or public right-of-way in the subdivision.

With the help of the HOA Board, the Town has decided to evaluate item fourteen (14) in the Nolensville Municipal Code Title 15 Chapter 6 section 15-604, which states:

(14) Parking shall be prohibited on one side of the public streets, with prohibited side being designated by the mayor or his designee, for public streets with pavement widths twenty-four (24) feet or less excluding the Nolensville standard local street with twenty-four (24) feet of pavement and thirty (30) inches curb and gutter.

The Town of Nolensville performed an assessment of all the streets in Bent Creek and determined that almost all of them measure under this 24-foot condition. As a result, the Town decided that a community wide “No Parking” policy would be ideal. For it to be community-wide, a standard had to be set. The standard decided upon, with input from the Board, is that no parking will be allowed on the even-numbered side of the streets in Bent Creek.

Frequently Asked Questions

Q: *Do I have any responsibility as a homeowner with this effort?*

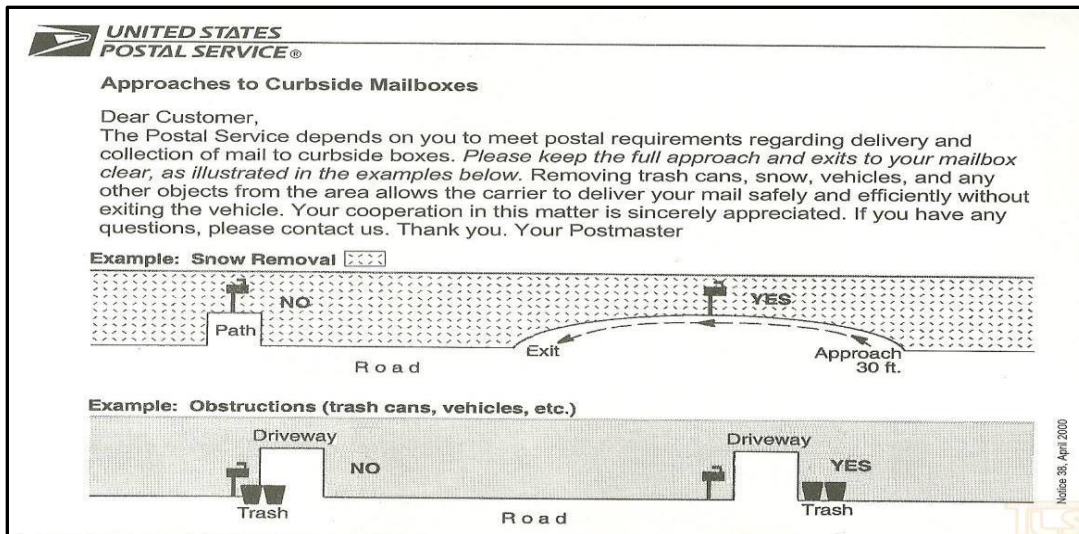
A: It is the responsibility of homeowners to understand the parking rules within the community. Further, it is the responsibility of homeowners to ensure their guests and all family members understand the parking rules.

Q: *How should I view street parking and utilize it appropriately?*

A: We are asking everyone to be good neighbors. Street parking should be overflow for guests and occasional use; not to be considered part of your daily home parking plan. The streets in Bent Creek are not of typical size and were not designed for permanent street parking.

Q: *Will this “No Parking” policy impact my mail delivery and trash service?*

A: The mail carrier may skip delivery if your mailbox is blocked. The regulations state that the mail carrier does not have to get out of their vehicle for delivery to a blocked mailbox. This is considered a time-wasting practice by the postal service. Additionally, exiting their vehicle could be a danger to the mail carrier depending on the environment and weather. Delivery of mail could be refused by the mail carrier if they are not given open access to mailboxes.



The above diagram illustrates that postal regulations require that all objects be removed from curbside near mailboxes. The Nolensville mail carriers have mentioned that many times trash cans, cars, toys and other objects block the approach to the mailboxes in Bent Creek. This could impact delivery of not just your mail, but a neighbor's mail as well. Therefore, do not block a mailbox if you or your guests park on the odd-numbered side of the street.

Q: *Why can't we park on the street?*

A: Your association's roads are subject to local regulations that specify the space needed for access by emergency and service vehicles. When cars are parked on the street, there is not enough clearance for those emergency vehicles to maneuver. This has been an on-going problem in Bent Creek, and our management company has tried to implement notices, but parking is ever-evolving so it is a difficult practice for the management company to govern.

Q: *Does the association have the authority to direct me on where and how to park?*

A: A detailed explanation of the interaction of property ownership, Association membership, and CC&Rs is well beyond the scope of this FAQ, but briefly, the CC&Rs—or Restrictive Covenants—are the legal obligations that require the homeowner to do something (such as pay annual dues or keep your lawn mowed) or to refrain from doing something (such as park a boat in your driveway). Restrictive Covenants are attached to a property and each subsequent owner of such property becomes obligated to comply with them upon acquiring ownership. Those covenants empower the board to adopt and enforce rules they believe are necessary for the good of the neighbors in Bent Creek.

Once you purchase property in Bent Creek, you obligate yourself to comply with the Restrictive Covenants attached to the property. In effect, you give up the unrestricted right to do certain things, one of which is how you park your vehicle on the public streets within the subdivision. This is no different than any other type of civil contract that you voluntarily enter into. The Association is NOT proclaiming it owns or controls the public streets; rather, it's restricting the

permitted activity of its Members within the subdivision under the Restrictive Covenants. This is a subtle distinction but is critical to understand.

Q: *How can I comply? I have too many drivers / cars in my household. I have guests coming. I have my kids home from college for the holidays, summer vacation, etc.*

A: The Board initially considered a process for granting temporary waivers for residents with circumstances that might make it difficult to comply. Upon review, our attorney advised the Board that it lacks such authority under the Association's governing documents. The Board can elect not to enforce a violation but the Board cannot waive a violation such that it is not a violation. While the Board may choose not to enforce known parking violations, doing so is not in the long-term best interest of the Association. Therefore, the Board, on behalf of the Association, is obligated to enforce the restriction as written in a uniform, consistent manner and strives to do so.

Q: *Why are "No Parking" Signs needed now?*

A: As our neighborhood has increased in maturity so has the number of drivers and cars. Because of this the number of cars being parked on the streets is causing a safety issue and at times made it difficult for emergency personnel. Signage should have been installed once the roadway(s) were completed, but were not. The Town is now agreeing to implement them as part of their traffic calming efforts.

Q: *Who will enforce the "No Parking" Signs?*

A: The Nolensville Police Department will be enforcing the "No Parking" areas.

Q: *Will the sign locations outlined in this document be the only signs in the community?*

A: These locations are the initial locations of "No Parking" signs. More signs could be added if the Town of Nolensville believes it is necessary.

Q: *Who needs to obey these signs?*

A: Everyone. Here are some pointers from NPD:

- Do not park within 15' of a fire hydrant. This is curb distance not line of sight distance.
- Do not park a car on a public street pointing the car in the wrong direction. When parking on the side of the road is permitted, park in the direction of traffic.
- Do not park on the sidewalk.
- Do not park closer than 30' on either side of a Stop sign. This is curb distance not line of sight distance.
- Do not park an unregistered car on a public street.

Q: *Can I park on the curb?*

A: No, in the event you or any guest is parking on the street, all four tires must be on the paved right-of-way.

Q: *What if someone I don't know parks in front of my house. Will I get cited or fined?*

A: No, NPD will ticket the owner of the car. It is expected that the vast majority of complaints will be for residents habitually using the street as an extension of their driveway.

Q: *Who do I call to report a violation?*

A: To report a violation, call the Nolensville Police Department's non-emergency line at (615) 776-3640.

Q: *Can I put trash cans and bulk trash on the side of the street where there are "no parking" signs?*

A: Yes, you will continue to be able to put trash cans and bulk trash out.

Q: *Can I park my commercial vehicle on the street?*

A: No, commercial vehicles should be parked in the garage.

Q: *Where can I learn more?*

A: The Tennessee Drivers handbook is a great resource and can be found here by visiting https://www.tn.gov/content/dam/tn/safety/documents/DL_Manual.pdf

Q: *What if I have additional questions?*

A: Please contact the board, and we'll do our best to get an answer and may update this FAQ as well.

Appendix D – Pool Rules

The following rules apply to anyone using the Bent Creek pool and its surrounding facilities. These Rules provide guidance for the lifeguards and others in authority. However, lifeguards and others in authority may use their discretion in dealing with any situation that they deem unsafe or inappropriate.

Summer Schedule

1. **Swim Proficient Users Only for Lap-Swimming (No Lifeguard on Duty):** The pool will be open from 6:30 AM - 9:30 AM for adults and swim proficient persons only for lap swimming. No lifeguard service will be present. **Swimming is at your own risk**, and you are responsible for your safety. **Swimming alone is not recommended**. Persons under the age of fourteen (14) must be accompanied by an adult.
2. **Lifeguard Preparation:** The lifeguard(s) will work from 9:30 AM - 10:00 AM to get the pool ready for the day. Swimming is not allowed during this time.
3. **Swimming Lessons:** Swimming Lessons will be offered 8:00 AM to 9:30 AM, Monday thru Friday by Swim-RX only. Scheduling for lessons must be done through Swim-RX. Swim lessons will take place on one side of the pool to allow for lap-swimmers on the other side.

AT POOL CLOSING TIME EVERYONE MUST EXIT THE POOL AREA AND BUILDING.

Pool Access

The pool is for the use of Bent Creek Residents and their Invited Guest(s) only. Residents **MUST HAVE** a key-fob with them to enter the pool area.

PLEASE NOTE: Lot owners must be in good standing. Otherwise, no resident in that home/Lot may use the pool or its facilities. To be in good standing, you must:

1. Be current on all Homeowner Assessments;
2. You must have a current, signed key-fob form on file with the Management Company.

Lost key-fobs will be replaced for a replacement fee of \$35.

The gates are to remain locked at all times. The pool can be accessed with a pool key-fob, and under no circumstances should the gate(s) be propped open. **DO NOT OPEN THE POOL GATE FOR ANYONE OTHER THAN YOUR FAMILY OR YOUR GUESTS.** The fence and gate that surround the pool area are for the residents' protection.

A resident may allow the usage of their pool key-fob to another person in the household. The household may have up to **six (6) guests total, depending on pool capacity**. A resident must be present with the guests at all times. Children of a resident may use the pool with a caregiver, and the caregiver will be considered a guest of the household and treated accordingly. Children under the age of twelve (12) years old should be accompanied by an adult or swim proficient minor at least sixteen years old (16) who is responsible for monitoring the child(ren) at all times.

General Requirements and Rules

- Obey lifeguard directions at all times.
- No running permitted on the pool deck.
- The lifeguards should not be considered babysitters.
- Residents must supervise their children and are responsible for their behavior and safety.
- Children under 12 years of age must be accompanied and supervised by an adult or swim proficient minor at least sixteen years old (16) at all times.
- All swimmers must shower before entering the pool.
- All swimmers must wear proper swimming attire. Lewd or revealing swimwear will not be permitted.
- Toddlers and infants are required to wear swim diapers. Dispose of diapers in restroom trashcans only.
- Profanity, abusive name calling, rough-housing, teasing, towel snapping, excessive splashing, dunking, spitting, or throwing items are prohibited.
- Swimmers must remove Band-Aids, metal hair clips, and pins before entering the pool.
- Swimmers in the water have the right of way. Those entering the water must make certain that the area where they are entering is free of other swimmers.
- Use of tire tubes, air mattresses, beach balls, and all other flotation devices are

prohibited, except swimming-assisting flotation devices and only in the shallow end of the pool.

- Absolutely no diving or flips into the pool are allowed at any time.
- No shoulder stands or throwing persons from shoulders into the pool is allowed.
- No food may be eaten in the pool. All food items should be kept away from the pool.
- No glass containers inside the pool fence.
- Garbage must be disposed of in the provided trash containers.
- No smoking or vaping of any kind allowed inside the pool fence. This includes, but is not limited to, cigarettes, cigars, or vaporizers.
- No bikes, skateboards, scooters, or roller blades are allowed inside the pool fence. Bikes, skateboards, scooters, roller blades, or any similar device must be safely stored so as not to create a hazard for any person. Bikes should be locked in the bike racks in front of the Pool House.
- The pool area and pool house may only be entered through the designated entrance. Climbing over the wall or fence is not permitted.
- The Homeowners Association will not be responsible for any money or property loss sustained by residents or their guests when using the pool or pool facilities.
- The pool phone is for emergencies and pool management use only.
- Lower umbrellas when leaving a table to avoid wind damage.
- No person shall distract a Lifeguard on the Lifeguard stand except in cases of an emergency.
- Persons with communicable diseases or discharges are prohibited from using the pool.
- Accidents should be reported to the Lifeguard immediately so that a report can be filled out.

Apparent Intoxication

Any apparently intoxicated individual will be asked to leave the pool area. Failure to do so will result in the notification of the proper authorities.

Lifeguards

Bent Creek contracts with a pool management company who provides certified lifeguards during designated times only. Appropriate suits, identifying them as lifeguards, will be worn. Lifeguards will receive a copy of the pool rules. Lifeguards have authority to enforce pool rules, remove anyone from the pool who violates the rules or is creating an unsafe situation, close the pool or portions of the pool if they believe an unsafe situation exists, or call law enforcement authorities for assistance. Two qualified lifeguards shall normally be on duty. Exceptions may be made during periods of low usage as approved by the pool management company.

Unplanned Pool Closures

From time to time, there will be unavoidable pool closures due to certain circumstances, including but not limited to:

- | | |
|------------|---------------------------------------------------------|
| 1. Fecal | Mandatory 24 hours |
| 2. Blood | Mandatory 2 hours |
| 3. Vomit | Mandatory 2 hours |
| 4. Weather | 30 minutes for each instance of thunder or lightning at |

Other instances of closure may occur at the Lifeguard's discretion if an unsafe condition exists. For any closure, all patrons must leave the pool and pool deck. It is advisable to leave the pool altogether, but waiting in the Lobby or parking lot is allowable.

Wading Pool Use

The wading pool will be open during regular swim times. The maximum age for use is six (6) years of age. Each child must be supervised by an adult or swim proficient minor at least sixteen years old (16) at all times.

House Sitters

Residents may authorize the use of the pool key-fob by a house sitter during the resident's absence. The resident must submit in writing to the pool committee the name(s) of the house sitter and the period of the resident's expected absence.

Lost and Found

All items left at the pool will be gathered into a lost and found area. Lost and found items will be discarded on the first Monday of every month.

Parties and Reserved Use

For parties or special events, the resident is responsible for giving Timmons Properties **seven (7) days** prior notice in writing. Please include the following information when scheduling your event:

- The time and date of the party - Please be courteous to your surrounding neighbors.
Scheduled parties are allowed for up to **15** people. Parties for children under 12 years old must have **one (1) adult** to supervise every **five (5) children**.
- Any special admission instructions.

The following rules will apply:

- All Pool Rules must be followed.
- Food and drink are allowed at the tables, but not around the pool.
- No glass is allowed inside the fenced pool area.

- Noise must be kept to a minimum and not cause nuisance to surrounding homes.
- The resident arranging a party is responsible to ensure that everyone follows the rules.
- Participants at the party must adhere to the lifeguard's instructions.
- All trash and items brought must be removed from the pool area. The pool trash containers should not be used for the party's trash.
- At no time should the pool be used for commercial or for-profit purpose or for any illegal purpose.
- At no time shall any alcoholic beverages or illegal substances be used in the pool by any Lot Owner, Resident, invitee, or guest.

If the Property Management Company approves the Lot Owner's request to reserve the pool for the Resident's exclusive use, the Resident shall execute a release and indemnification/hold harmless agreement releasing Bent Creek from any liability for said use. Bent Creek shall provide the agreement to the Lot Owner for execution prior to the date of the event.

To schedule and obtain a permit for a pool party, please contact Timmons Properties. Persons scheduling parties are required to send a \$50.00 refundable deposit to Timmons Properties to secure against damage to the pool and facility. Please make check out to Bent Creek HOA and submit with your request promptly upon scheduling your date.

To reserve the facility please contact:

Timmons Properties
 Attention: Bent Creek Property Manger
 1114 17th Ave S. Suite 101
 Nashville, TN 37212
 (615) 383-1777

Violations of Rules

- When Lifeguards are on duty, they are "The Authority" at all times.
- Any individual violating these rules or any reasonable instruction from a lifeguard or person in authority will be subject to disciplinary action. Disciplinary action will generally include the following:
 - 1st Offense – Verbal Warning
 - 2nd Offense – Exit Pool for ten (10) minutes
 - 3rd Offense – Asked to leave the pool for the day (If the offender is under 18 years old, the Association Board and the offender's parents will be notified.)
 - 4th Offense (upon returning to pool) – Banned from pool and pool area for one (1) week (If offender is under 18 years old, the Association Board and the offender's parents will be notified.)
 - Further violations could result in suspension of pool use privileges for remainder of season.

Nothing herein shall prohibit a Lifeguard from requiring immediate removal from the pool and pool facilities if in their sole discretion the conduct creates an unsafe condition.

Lifeguards are expected to enforce these rules and are permitted to call law enforcement authorities if their instructions are ignored or to request assistance in dealing with any unsafe or unusual situation.

Any violation of these rules should be reported to the Pool Manager and the Bent Creek Board, giving complete details of the incident in writing. The Pool Management Company and the Board will investigate each incident and take such corrective action as they deem necessary.

Bent Creek reserves the right at any time to require any user to sign in with an attendant or Lifeguard and to present picture identification to enter the pool.

Residents, guests, and users of the Bent Creek pool understand and acknowledge that the pool, the pool area, and the pool house are monitored by security cameras 24 hours per day and that such cameras can be monitored remotely. The viewing of this live or recorded feed is limited to Board members and law enforcement as necessary. The area is video-monitored to protect the interest of Bent Creek and its residents.

RULES ARE SUBJECT TO CHANGE DURING THE SWIM SEASON TO MAINTAIN A SAFE ENVIRONMENT. CHANGES WILL BE POSTED AT THE POOL AND CIRCULATED VIA THE BENT CREEK NEWSLETTER.

[Appendix E – Street Trees \(currently under development\)](#)