

Springbrooke Condominium Owners Association



Condominium Rules

Owner Responsibilities

General Information

Preface

This Handbook is intended to supplement, but not replace, the Springbrooke Condominium Association Declaration of Ownership and Bylaws. These common-sense rules have been created by your elected Board of Directors for the health, safety, and comfort of all Springbrooke Owners. We believe you will find these rules reasonable and trust that you will cooperate by upholding them. Life in a condominium is different from life in a private home. One of the most important principles that you will recognize as a condominium resident here is that you have a responsibility to respect your neighbors by observing these rules. Please keep this booklet handy so that you can refer to it easily. If you have any questions about any rule, or if something arises that may not be covered in the booklet, please contact the Managing Agent. If there should be any inadvertent discrepancy between what is expressed in the booklet and the recorded documents, the Declaration and/or Bylaws shall govern.

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Towne Properties

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NOTE: Towne Properties became the Springbrooke managing agent effective November 1, 2017.

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1. Introduction

Springbrooke Condominium Association is a community of 63 homes comprising 35 buildings. Twenty-one buildings are single-family units; and fourteen buildings contain three units each. As a private condominium property, we are governed by our unique Declaration of Ownership and Bylaws. Our streets are private, and we are responsible for their maintenance. We are located in the City of Centerville, and receive some services, such as Police and Public Works, from the City; and we are subject to City regulations. Fire and Emergency Medical services are provided by Washington Township. Service telephone numbers for the City, Township, and other utilities are provided at the end of this booklet.

2. Definition of a Condominium Association

A Condominium Association is characterized by ownership of the common elements of the property. It does not matter if the physical dwellings are adjoined or freestanding. The common elements are possessed by the individual owners in accordance with their percentage of ownership interest as determined by the size of each owner's unit. In Ohio, condominium communities are subject to legislative control known as Ohio Revised Code Section 5311.

3. Governing Documents

Condominium associations are governed by three types of documents – two of these comply with the requirements of Ohio Condo Law and are filed with Montgomery County. The third is created and adopted by the Association's elected Board of Directors, per the authority given to them in the Association's Bylaws, and using information and restrictions contained in the legal documents. All documents should have been provided to you when you purchased your unit. If you do not have any of them, they are available on the Springbrooke web site; or you may obtain them from the Managing Agent or from the Montgomery County Recorder's Office.

Declaration of Condominium Ownership: This document contains a legal description of the property, “declares” it as a condominium association, and provides restrictions for its use (referred to as deed restrictions). The developer originates this document and records it with the county wherein the property is located. It lists any restrictions imposed for the betterment of the community. The Springbrooke Declaration consists of a base document and a number of amendments, which were created as new units were built and added to the community.

Bylaws: While the Declaration contains a substantial amount of legal terminology, the Bylaws are generally easier to understand. Bylaws control the internal governmental operation of the association. They define the day-to-day operational procedures and responsibilities of the Association and the Board members. The developer also originated and recorded this document. It outlines procedures such as owner voting rights, number and term of board members, and association versus owner responsibilities.

House Rules: Association boards enact house rules for the purpose of establishing common sense dos and don'ts of the property. Community regulations such as the ones presented in this booklet help ensure respect and safety for all residents. These rules are promulgated from restrictions included in the Association's legal Declaration and Bylaws documents.

It is extremely important that these three condominium documents are transferred from owner to buyer in the sale/purchase of your condo unit. This can help avoid misunderstandings about what it means to live in a condominium community. Real estate agents should be aware of the need to obtain these documents during the sale/purchase process.

Also, remember that any unit owner who rents to a non-owning individual is responsible for the conduct of his tenant. It is imperative that the owner give a copy of the House Rules to the tenant and retain a copy for himself. An owner whose tenant abuses the community rules is subject to a fine, and the tenant is subject to eviction if the rules are not followed.

4. Organization

All Owners immediately become members of the Springbrooke Condominium Association upon purchase of their units. The Declaration and Bylaws provide for the formation of a Board of Directors to be elected by all eligible Owners at the Annual Association Meeting. Board members are volunteers and receive no pay for their service to the Association. They are responsible for making the day-to-day decisions for the Association. A Managing Agent is employed to administer the day-to-day operations, which include, but are not limited to:

- * Billing and collection of monthly maintenance fees
- * Obtaining bids for services rendered to the Association (landscaping, snow removal, etc.); and monitoring those services
- * Preparing financial reports, including the annual budget
- * Managing the Association's insurance policies
- * Providing information for preparation of tax returns
- * Receiving and processing communications from Unit Owners
- * Corresponding with Unit Owners regarding matters set forth in the Declaration, Bylaws, and Rules Handbook
- * Receiving and processing work requests from Unit Owners
- * Obtaining legal advice as requested by the Board
- * Maintaining all Association correspondence, minutes, and records
- * Assisting with and attending regular Board Meetings and the Annual Meeting

The Managing Agent acts in an advisory capacity to the Board. Any questions or problems that you may have should be directed to the Managing Agent.

Another characteristic of condominium ownership is that all Owners of Record share in the cost of upkeep of the common property. Thus, the Declaration of Ownership provides for the collection of monthly fees for the purpose of hiring a Managing Agent, securing contractors to provide grounds and building maintenance, purchasing common property insurance, contributing to Association reserves, and providing other services as necessary. Monthly fees are assessed to each Owner based upon his percent of interest (referred to as POI) in the property, which, in turn,

is based upon the size of his unit. Occasionally, additional one-time assessments may be required for expenditures incurred but not covered by the budget. An example of this is when snow removal expenses exceed the budgeted amount because of a particularly severe winter. These assessment amounts are also based upon an Owner's percent of interest.

4-A. Management

The Springbrooke Condominium Association contracts with Towne Properties for professional management of our common property. Ms. Cindy Hess is our Managing Agent. Ms. Hess does not set policy for the Association. She follows guidelines set by the Association's legal documents and by the Board of Directors. Following is her contact information:

Cindy Hess
Towne Properties
Dayton District Office
6540 Centerville Business Pkwy
Centerville, Oh 45459
Phone: 937-222-2550
FAX: 937-222-2552
E-mail: cindy@TowneProperties.com

If you have a problem or concern with your unit or the common property associated with your unit, contact Ms. Hess with the details, preferably in writing. If the problem is the Association's responsibility, she will arrange to have it corrected and report her action to the Board.

4-B. Board of Directors

The Board of Directors consists of volunteer Association Owners, who are elected at the Annual Meeting. An Owner can be a Director only if he is not delinquent in his Association fees and/or assessments. Following the Annual Meeting, the Board of Directors selects its officers for the coming year. All Board members have an equal vote in making Association business decisions. Following is a brief definition of the responsibilities of each Board officer.

President

- * Acts as chief executive officer of the Association
- * Executes major legal documents and contracts
- * Establishes meeting dates and agendas
- * Chairs Board meetings

Treasurer

- * Monitors invoice payments
- * Regularly verifies status of Association funds
- * Ensures that financial and accounting records are kept
- * Monitors assessment collection and delinquencies
- * Reviews monthly and year-end financial reports
- * Assists in budget preparation
- * Ensures reserves meet Ohio condo law requirements

Secretary

- * Ensures proper notice of meetings
- * Records minutes of meetings
- * Types and distributes meeting agendas
- * Oversees newsletters
- * Prepares general ownership correspondence
- * Coordinates publishing of Association Rules Handbook

4-C. Annual Meeting

Per the Association Bylaws, the Springbrooke Condominium Association Annual Meeting is held on the first Tuesday of May each year, in the clubhouse, at a time to be published. The purpose of the meeting is to approve the minutes from the previous year's meeting, to review the Association's financial status, to elect members to the Board of Directors, and to field any concerns of the Owners. All Owners are eligible to attend the Annual Meeting. However, the Board has the authority to suspend the voting rights of any Owner who is delinquent in any fees,

assessments, or charges for more than 30 days as of the date of the Annual Meeting. Delinquent owners will be notified of the Board's decision to suspend voting rights at least 30 days before the meeting. Likewise, only Owners who are in good standing may run for a position on the Board of Directors. The Annual Meeting can be held only if 51% of the Owners are represented, either by their presence or by submitting a proxy. If this quorum is not achieved, the business meeting will not be held, but will be rescheduled for a later date.

5. Common Areas

Common areas encompass real property reserved for use by all owners in the community and are maintained by the Association. They include:

- * Entryway to the property
- * Structures – including foundations, building exteriors, columns, girders, beams, supporting walls, roofs, gutters, downspouts
- * Lawns – including the large freestanding mulched planting beds
- * Streets – Brookmeadow Drive and Donamere Circle, which are private thoroughfares
- * Clubhouse
- * Pool
- * Visitor parking
- * Mail box stations
- * Sidewalks – excluding the ones that connect a unit's driveway to the front door
- * Fences – defined as the ones on the boundaries of the community property
- * Ponds – There are two of these on the property. A large one runs along Alex-Bell Road, and a small one is located at the back of the property.

With the exception of renting the clubhouse for a specific function on a specific date, you cannot reserve common property for your exclusive use. As an example, renting the clubhouse does not permit you to use the pool area for a party. The pool must be available for all residents at any time during the pool season.

The Board of Directors does not have the authority to grant, cede, license or convey any part of the common area to any unit owner or any other entity. The Directors cannot permit the enlargement of any patio, porch, driveway, or structure.

Keep in mind that your monthly condominium fees provide for the upkeep and maintenance of your community. Any damage that you may cause to common area affects everyone and may incur assessments for remediation.

6. Limited Common Areas

Limited common areas are those that are adjacent to an owner's unit and for which the owner has a reasonable expectation of private use. Some Limited Common areas may be maintained by the Association, while some must be maintained by the Owner but in accordance with standards set by the Association. Please see the subsequent discussion of maintenance responsibilities. Limited Common areas include:

- * Patios – along with any privacy fencing
- * Driveways
- * Entryway sidewalks and stoops
- * Planting areas within a mulched border surrounding the perimeter of your unit

7. Maintenance Responsibilities

The following discussion summarizes the responsibilities of the Association and of the Owner with regard to maintenance of property. It also provides Owners with guidance on what changes they may and may not make to their individual units.

7-A. Association Responsibilities

The Association is responsible for the upkeep of both Common Areas and some Limited Common Areas. Additionally, the Association is responsible for insuring the common property and buildings.

Area	Type	Responsibility	Comments
Grounds	Common	Lawn mowing and treatment	
	Common	Irrigation system operation and maintenance	Irrigation is on timers and takes place from Spring through Fall. Report any problems to the Managing Agent.
	Common	Tree maintenance and treatment	Trees are treated yearly but are trimmed on an as-needed basis. Any tree planted in a common area by an owner becomes the property of the Association. Dead trees are removed at the first opportunity; replacement is at the discretion of the Board.
	Common Limited Common	Shrub and ornamental grass trimming	Shrubs are trimmed once a year in the May/June timeframe and may be touched up again in the fall if needed. Ornamental grass is cut back in the fall.
	Common	Pond maintenance	
	Common Limited Common	Snow removal in streets, driveways, sidewalks	Snow plowing occurs when the snow reaches a depth of 2 inches. Chemical treatment is applied when areas are iced.
	Common	Street and visitor parking maintenance and paving	
	Common	Pool maintenance	Includes the deck area and pool furniture.
	Common Limited Common	Mulching of planted beds	Occurs as needed, which may not be every year.
	Common	Perimeter fencing	
	Limited Common	Driveways	
	Common Limited Common	Sidewalks	

Area	Type	Responsibility	Comments
Buildings	Common	Clubhouse maintenance	
	Common	All building exteriors for roofs, siding, brick, downspouts, gutters, and vents	Modification of the brick or siding is not permitted. If you feel there is a problem with such an element, report it to the Managing Agent.
	Common	Building foundations	
	Common	Utilities that serve more than one unit or for a common purpose	Street lights and lamp posts; and gas, water, and electricity for the clubhouse and pool.

7-B. Owner Responsibilities

Owners are responsible for everything in their unit from the walls in. This would include, but is not limited to, floors, ceilings, drywall, windows and any material covering such structures (i.e., paint, wallpaper, curtains/blinds, tile, carpeting), as well as appliances, and personal contents (furniture, clothing, etc.). Owners should obtain insurance against liability for events occurring within their homes or on their driveways or walks, as well as for losses with respect to personal property and furnishings and to improvements they installed. The recommended policy is a Home Owners 6, which is a condo unit policy.

Area	Responsibility	Comments
Exterior	Patio and any privacy fencing	Privacy fencing must be consistent with that already in use in the community. The patio must be concrete; no other material is allowed. Owners are responsible for any plantings done within a fenced-in patio, including weeding.
Exterior	Light fixtures attached to the building	An Owner may replace these with approval by the Board after completing the Architectural and Landscape Improvement Application. Building-attached lighting fixtures must be black.
Exterior	Water faucets	
Interior	All appliances	

Area	Responsibility	Comments
Interior/Exterior	Doorbells	
Interior	Plumbing	
Interior/Exterior	Electric and electric fixtures, cable/internet connections	
Exterior	Doors: entry, patio, and garage, including screen and storm doors, frames, jambs, and hardware	These may be replaced and/or painted by the Owner, but must conform to the types and colors approved for the Association. Use the Architectural and Landscape Improvement Application for any changes to doors.
Exterior	Windows, including screens, frames, sashes, jambs, and hardware	When replacement is needed, approval from the Board of Directors must be secured. Replacement windows must match those already installed. Use of plastic or non-glass window or door liners is prohibited on the outside of the building.
Interior	Air conditioning and heat	Window air conditioners and window fans are not permitted.
Interior	Water heater	
Interior	Fireplace	If you have any problems with the operation of your fireplace, consult with a plumber who performs such services.
Exterior	Stoops	
Exterior	Mulched areas adjoining your unit	Seasonal flowers may be planted in these beds. Reasonable outdoor decorations are allowed so long as they are complimentary to the overall design of the property.

7-C. Betterments

Owners are permitted to make certain exterior changes to their units within the guidelines of the Association. Such changes are called betterments and may not be covered by the Association's insurance, except possibly in the event of a natural disaster, as in the case of windows being covered by the Association's insurance as a result of the hailstorm of May 2011. Interior betterments such as paint, wallpaper,

carpeting, are at the prerogative of the Owner. Remodeling, such as kitchens and bathrooms, is permitted, so long as the structural integrity of the building is not affected. It is imperative that plans for such remodeling be presented to the Board for review and approval. In general, you are not permitted to attach anything to or to modify anything on the exterior of your building without Board approval.

Betterment guidelines:

- * With approval, patios may be enclosed, but the enclosure structure must rest on the concrete patio surface and be complementary to the appearance of the building.
- * Privacy fences that rest just off the patio surface can be constructed only with the approval of the Board.
- * To ensure a uniform appearance, patios must be concrete. Wooden decks and any other types of surfaces are prohibited. Patios may not be extended to a larger size, as that would be encroaching on common property.
- * Flowers may be planted in limited common areas and become the responsibility of the Owner.
- * Shrubs, trees, and ornamental grasses may be planted in limited common beds with Board approval. This is because some of these plantings may affect the foundation of the building.
- * Windows can be replaced, but must be white and must have the approval of the Board.
- * Doors can be painted, but only with an Association approved color. Contact the Managing Agent for door colors.
- * Exterior light fixtures attached to your unit can be replaced but must have Board approval using the Architectural and Landscape Improvement Application. They must be black.
- * Neutral color awnings may be installed over your patio with the approval of the Board.
- * Satellite dishes may be installed but must have Board approval using the Architectural and Landscape Improvement Application. Satellite installation guidelines are published on the Springbrooke web site.

- * Installation or replacement of storm doors must have Board approval using the Architectural and Landscape Improvement Application. They must be white and match closely other storm doors installed in the community.

The Architectural and Landscape Improvement Application can be downloaded from the Springbrooke web site. Follow the instructions for completing and submitting these forms. For some changes, detail information, such as specific dimensions and diagrams, is required in order for the Board to make an informed decision. If you do not have Internet access, contact the Managing Agent for these forms.

7-D. Architectural Change Request Procedure

The written request for alteration or improvement of your unit should be sent to the Managing Agent at the Towne Properties address at the beginning of this document. The Board will review any request within 15 days of receipt; and a written response should be provided within 21 days of initial notification of request. If the description of the requested change is not sufficient for the Board to understand the project, the approval could be delayed until you can be contacted for additional information and you respond in writing with that information. Final disposition of your request, whether approved or denied, will be in writing. Work cannot begin until you receive written approval from the Managing Agent.

If your application for change is denied or altered, you may appeal with a formal written request to the Board, stating the reasons why you believe the request should be approved. This appeal will become an agenda item at the next regularly scheduled Board meeting. The Directors will vote on the appeal, and the Managing Agent will inform you of the results in writing after that meeting.

8. Association Fee Collection

Association fees, or “condo fees”, are due on the first of each month, and are considered late if not received by the 15th of the month. At the beginning of each year, coupons and envelopes are provided for the purpose of mailing monthly fees. Alternatively, you may have your association fees automatically withdrawn from your bank checking account. Contact the Managing Agent to set up automatic withdrawal.

An administrative late charge is incurred for any late payment and for any unpaid balance due to special assessments and/or fines. Currently, that charge is \$25 per month, but is subject to increase upon notice. Any costs, including attorney fees, recording costs, title reports, and/or court costs, incurred by the Association in the collection of delinquent fees/assessments shall be added to the amount owed by the delinquent Owner. Unpaid fees/assessments/fines that accumulate to the level of three months may cause a lien and foreclosure to be filed against the Unit. Additionally, owners, along with their families and/or tenants, who are delinquent more than 30 days, are denied use of the pool and clubhouse. These rights are reestablished only upon payment in full of all outstanding amounts.

Payments made to the Association are applied in the following order:

1. Interest and/or administrative late fees owed to the Association
2. Collection costs and attorney fees incurred by the Association
3. Principal amounts owed on the account for common expenses and assessments

Three months’ worth of condo fees will be collected at the time of a sale closing or transfer of ownership of a unit. This is a standard contribution to the working capital of the Association. Subsequent owners of each unit will be required to make a like contribution. If the contribution is not collected at closing, the Managing Agent will invoice the new owner for that amount.

9. Occupancy

Springbrooke Condominium units shall be occupied and used for single family dwelling in accordance with the ordinances of the City of Centerville.

9-A. Rentals

An Owner may rent a unit as a single-family home in accordance with the ordinances of the City of Centerville. For Rent signs on the Unit or on any Association property are prohibited. No Unit shall be rented or leased for transient or hotel purposes, defined as periods of less than 30 days. An Owner who rents his unit must provide the Management Company with the following:

1. A copy of the lease, which must contain a clause making the tenant subject to the covenants and restrictions found in Springbrooke's Declaration, Bylaws, and Rules Handbook
2. A copy of the Rules Handbook must be provided to the tenant
3. Full names of the tenants
4. Names of all occupants residing in the Unit
5. Home and business telephone numbers of the tenants

The Owner is responsible for the conduct of the tenant and will be liable for all assessments due to violations of the Declaration, Bylaws, and Rules.

10. Clubhouse Rental and Use

Use of the Clubhouse is exclusive to the residents of Springbrooke Condominiums. Individuals who are not residents may not rent the Clubhouse. Rental of the Clubhouse is restricted to the upper floor. The lower area and pool are never to be used by any resident or guests as part of renting the Clubhouse for an event. Those areas must be available for other residents' use at all times.

Residents must be present for the entire time that the Clubhouse is in use. Residents are responsible for the behavior and safety of their guests. Renting the Clubhouse for third parties is forbidden. The Clubhouse is available for only those functions that the resident will be hosting alone or with others.

To rent the Clubhouse, complete and sign the Springbrooke Clubhouse Reservation Request form as found on the Springbrooke web site, and send it to the Managing Agent. If you do not have Internet access, call the Managing Agent for a rental form. The fee for a one-time rental is \$50.00. A security deposit of \$100.00 must be tendered at the same time. The Managing Agent will reserve the date and time and explain details of what must occur in order to recover the deposit amount after your event. The form contains rental conditions that you must agree to with your signature before you receive the key.

Keys to the Clubhouse can only be obtained from the Managing Agent. Failure to return the key or loss of the key will incur you a fee of \$450 to replace the lock. You are also responsible for any damage that occurs to the Clubhouse during your event. Do not leave perishable food in the clubhouse refrigerator after your event.

10-A. Fitness Room

The Fitness Room is located in the lower level of the Clubhouse and is accessible only through the pool area at the back of the building. Use of the equipment in the Fitness Room is limited to individuals at least 16 years of age, unless accompanied by an adult resident. The Association assumes no responsibility for any injuries incurred as a result of using the equipment by any one of any age.

Smoking is prohibited in the Fitness Room.

If you are using the weights, place them back on the rack after use. Turn out the lights when you leave the area if no one else is there.

11. Lamp Posts and Street Lights

Some Units have breakers inside their garages that control the small lamp posts and/or street lights. These breakers should be ON at all times for the security of our community.

Ten unit owners have large street lights as an electrical source on their meters. These residents are reimbursed for each year in February of the following year after usage rates have been determined.

If a lamp post or street light is out, first check the breaker in your garage to determine that it is ON. If the breaker is ON but the light is still not working, report the outage to the Managing Agent.

12. Mailbox Keys

If you did not receive a mailbox key at the time that you purchased your Unit, or if you need an extra key, contact the Centerville Post Office at 937-291-1624.

13. Swimming Pool

The swimming pool is secured with a locked fence. If you plan to use the swimming pool, contact the Managing Agent for a key. Only one key is issued per Unit. It opens both the outside gate and the Clubhouse lower level door. Access to the Clubhouse's lower level also allows you to use the fitness room there. There is a \$5.00 fee for replacing a lost key.

The swimming pool is opened for use each year on Memorial Day weekend. It closes for the season right after Labor Day in September. The Pool Rules discussed below are also posted on the lower level of the Clubhouse.

13-A. Pool Use Rules

- No Lifeguard is on duty. Swim at your own risk.
- A resident adult, who is 18 years of age or older, must accompany anyone under 12 years of age.
- Residents may bring 2 guests only, except as noted in the **Special Guest Note** below. Guests must be accompanied at the pool by the hosting resident at all times. Do not send your guests to the pool by themselves. Any person not in the company of a resident is deemed to be trespassing on Association property. Residents are responsible for the behavior of their guests.
- Smoking is prohibited in the pool area, per state ordinance.
- Glass is prohibited in the pool area.
- Alcohol is prohibited in the pool area.
- Use of foul language is prohibited in the pool area.
- Headphones must be used with devices that play music, radio programs, or movies (including, but not limited to, radios, smart phones, MP3 players, tablets, CD/DVD players). This is out of courtesy to fellow pool users and to residents who live in close proximity to the pool area.
- Noise or any activity that creates a nuisance (e.g., distracts or disturbs others), including, but not limited to horseplay, running, diving, and acrobatics is prohibited.
- Riding skate boards, roller skates, bicycles, and scooters is prohibited in the pool area.
- Pets are prohibited in the pool area. Authorized service animals are permitted on the pool deck but not in the water.
- The pool must be locked at all times. The door-gate will automatically lock behind you when you are coming or going.

- Pool use is restricted to daylight hours. The pool may be closed at the discretion of the Board of Directors or Property Manager, due to inclement weather and on days when the temperature fails to reach 68° Fahrenheit, or for any safety and/or health reason.
- Anyone using the pool area must clean up after having food and drinks. Trash cans are provided for this purpose. Close the umbrellas and straighten any chairs and lounges you have used. This area is shared by all. Keeping it presentable is not the responsibility of the pool contractor.
- Pool parties are prohibited. The pool is never available for rent or for gatherings of any kind. Rental of the Clubhouse does not include the pool area or the lower-level rooms.
- Condo fees and/or assessments must be paid in full at all times in order for owners and their families or tenants to have privileges to use the pool.

Special Guest Note: Notify the Managing Agent when you have out-of-town family or friends visiting you for a period of more than three days and they wish to use the pool area. Tell the Managing Agent the number of people visiting, their relationship to you, their vehicle type, and the length of their stay. The Agent will notify the Board of Directors, and the guest total can be waived for the stay. The guest rules above apply.

After receiving written notice, any residents in violation of these rules and regulations may, in addition to other remedies, have their right to use the pool revoked. This revocation includes the residents' family members and guests.

14. Ponds

The two ponds located in the Association's common area are storm water runoff retention ponds required by the regional flood control plan when Springbrooke was constructed. Their size and location were determined by the topography of the Association's final grade plan. They are not intended for recreational purposes.

The Association is obligated to maintain these ponds. City and County engineers monitor their performance and will instruct the Association as to any maintenance required. The Association employs a professional pond management company to treat the ponds for algae and cattail growth.

The following activities at the ponds are strictly prohibited and anyone engaging in them will be subject to the enforcement of trespassing by the Centerville Police Department.

- * No swimming
- * No wading
- * No rafts, boats, or floats
- * No ice skating when frozen

Additionally, ground feeding of wildlife anywhere on the property is prohibited; this includes the ducks and geese at the ponds, as well as wildlife such as chipmunks, rabbits, and squirrels. These wild creatures know how to take care of themselves. The geese, especially, are quite a nuisance and destroy the lawns around the ponds, and we do not want to encourage them to hang around.

Residents and their guests may fish at the ponds. A guest must be accompanied by the resident while he is fishing. Also, please be considerate of those owners whose units are along the ponds by not littering or creating excessive noise.

15. Parking and Vehicle Types

Visitor parking areas are provided throughout the Springbrooke property. Parking on the streets of Brookmeadow Drive and Donamere Circle by residents or visitors is not permitted. It is a Unit resident's responsibility to inform guests of this restriction.

Unit Owner parking or storage of boats, canoes, campers, recreational vehicles, large trucks, commercial vans, trailers, or inoperative vehicles of any kind in Common areas is prohibited. The Common areas include visitor parking, driveways, and the streets of Brookmeadow Drive and Donamere Circle in their entirety. Any vehicle that has expired license tags or is missing license tags is deemed to be inoperable.

Residents must use their garages or driveways as their primary parking areas. Unit residents may use visitor parking areas for personal parking only on a temporary basis, but for not more than three days, regardless of whether they want to use visitor parking for daily come-and-go use of the vehicle or for its continuous storage. If you have a need to use visitor parking for personal use for an extended period of time, contact the Managing Agent. If you have guests staying with you for an extended period of time, you must notify the Managing Agent, and supply the make and model of the vehicles and their license tag numbers along with the relationship of the guests.

The parking places at the clubhouse are for use by clubhouse guests only. Temporary parking by residents, or resident guests, not using the clubhouse, the pool or the fitness room is prohibited.

Vehicle maintenance or repair is not permitted on Association property except for normal maintenance performed by a resident within the garage of his unit.

Commercial trucks, vans, and trailers are permitted on the property only for service, delivery, or for moving in or out. Some vehicles (for example large moving vans) may be too large for some of our turning areas. Care should be taken or other arrangements made for these types of vehicles. Owners requiring use of such vehicles will be responsible for any damage done to the property.

All vehicles in violation of these parking restrictions are subject to towing at the unit owner's expense. Additionally, owners are subject to fines as described in **Section 25 – Fines and Penalties**.

16. Pets

[Note: The following update is effective November 1, 2020.]

Residents of Springbrooke Condominiums are permitted to have one household pet. A Pet Registration form, which can be obtained from the Springbrooke web site, must be completed upon acquiring a pet, or by a new resident with a pet moving into the community. A pet must be on a leash when outside and be accompanied by a responsible adult. Dog walking is not permitted in the pool area. Any droppings on the Association grounds must be immediately removed and disposed of in a manner that does not create a health hazard for any resident.

The tethering of a pet outdoors to any tree, shrubbery, or structure in the Common Area is forbidden. Owners who do so will be financially responsible for damage to Association property and could be subject to termination of pet ownership.

No animals, livestock, or poultry of any kind shall be raised, bred, or kept in any Unit or in the Common Area.

A visiting pet must conform to the same rules as a resident pet. Owners who allow a visiting pet to violate Springbrooke pet rules will be subject to penalty.

It is the responsibility of a seller of a unit to inform any prospective buyer of this pet rule. Springbrooke Condominium Association shall not be held liable for failure to convey this and any other regulations that a unit's subsequent owner may find troublesome.

Please also note that the City of Centerville does not permit either dogs or cats to run loose in neighborhoods.

The right of a resident to maintain an animal in a Unit is subject to termination if the Board, in its discretion as defined in the Association's Declaration and Bylaws, determines that maintenance of the animal constitutes a nuisance or creates a detrimental effect on the Association as a whole.

17. Signs

At no time should signs ever be placed on lawns, as this impedes the work of our grounds maintenance contractors.

17-A. For Sale

1. One For Sale sign only is permitted and only in one window of the unit.
2. The homeowner or realtor must inform the Managing Agent or any Board Director before posting the sign.
3. Upon notification, the sign may be displayed for a 90-day period.
4. No oversized or hand-written signs are permitted.
5. Open House signs may be used one hour before, during, and one half-hour after a scheduled open house. They may be placed at the following locations:
 - * In the grassy common area located at the corner of Alex-Bell Road and Pelbrook Farm Drive.
 - * In the grassy common area around the Brookmeadow Drive street sign where Brookmeadow Drive meets Pelbrook Farm Road at the entrance to the community. Do not place the sign in the mulched flower beds at the entrance.
 - * In the mulched area of the landscape bed located at the intersection of Donamere Circle and Brookmeadow Drive.

17-B. Other Signs

1. Alarm company signs are limited to one for each unit. These signs may be no larger than 10x12 inches in area and must be within 2 feet of the exterior of the structure. Alarm company signs should be located in a mulch bed.
2. Window decals for alarm services are permitted. These should be no larger than 4x6 inches and may be displayed in one window on each side of the dwelling.
3. Vendor signs are not permitted. These are the type of signs that service contractors such as heating/air conditioning contractors like to place in a yard upon completion of work at your unit.

18. Satellite Dishes

Per FCC regulations, Owners are permitted to install satellite dishes for TV reception. The Association must be notified **beforehand** that you intend to install a dish. The Architectural and Landscape Improvement Application form must be used to request installation of a satellite dish. It is downloadable from the Springbrooke web site along with guidelines for installing dishes. It is recommended that you consult with your dish vendor prior to the actual installation to determine the optimal positioning of the dish, so as to conform to the Association's policy. The following regulations govern satellite dish installation:

1. Satellite Dishes may be installed in limited common areas only. Limited common areas are defined as ones that generally abut your unit and are reserved for your exclusive use; for example, your patio. Satellite dishes may not be installed on common elements unless approved by the Board of Directors. Common elements include building roofs and walls; therefore, Board approval is needed if the unit must be mounted on a roof in order to obtain proper reception, and/or cable is to be run through a wall into your unit.
2. Owners are responsible for the purchase, installation, and maintenance of satellite dishes, mountings, brackets, boxes, wiring, and cables. The work must be done by a professional installer in accordance with FCC regulations.
3. The satellite dish must be no larger than 18 inches in diameter and must be gray in color. It should not be visible from the front of your unit.
4. Owners are responsible for any damage that may be done to a common area during, or because of, installation of the satellite dish. Your satellite dish must be covered by your homeowner's insurance policy.
5. The Managing Agent must be notified **in advance** of the date and time of installation of your satellite dish. It will be inspected to ensure that it is in compliance with the Association's satellite dish policy.
6. If a unit is subsequently sold, the Owner is responsible for having the dish removed, following the same policy as for its installation. Any common area touched by the installation must be restored to its original condition at the Owner's expense, using the Association's approved roofing/siding vendor.

19. Snow Removal

The Association contracts with a local vendor for the removal of snow. Snow removal automatically occurs when the snow depth reaches two inches. Clearing and salting is done in the following order:

1. Streets, parking areas, and the mailbox platforms
2. Driveways
3. Sidewalks

Accumulations of less than two inches are addressed on a discretionary basis by Management and/or the Board based upon conditions and weather forecasts. Salting of streets, driveways, and sidewalks occurs in the event of ice storms.

There is no set order as to which section of property is cleared first. The vendor uses his best judgment for the most efficient removal and storage of plowed snow into least obstructive areas.

No special trips are made to treat driveways or parking areas that were occupied by vehicles at the time of service. Residents are responsible to keep areas clear for snow removal when the service is imminent and apparent.

Snow sticks are placed throughout the property prior to the winter season to assist the vendor with locating driveways, curbs, etc., in the event of deep snowfalls. They are removed in the spring.

Some owners do not wish to have their driveways or sidewalks salted. Do Not Salt signs are available from the Towne Properties office.

Any concerns about incomplete work or service questions should be directed to the Managing Agent.

20. Trash Removal

The City of Centerville provides weekly trash removal for Springbrooke Condominiums. Pickup day is Wednesday. Two separate trucks are used – one for regular trash and one for recyclables—and may in fact come at separate times on pickup day. The cost of trash removal is billed to each resident by the City.

The City of Centerville provides both regular and recycle trash containers for use with its automated trash removal system. The regular trash bin is available in a 96- or 64-gallon container; the recycle bin has a blue lid and holds 64 gallons. Both bins are placed at the end of your driveway on pickup day in accordance with the city's directions for placement. Information about Centerville's trash removal system, including recyclable items, can be found online at the Public Works section of the city's web site. Or, you can call the Centerville Public Works department at the number provided in the **Service Providers** section of this handbook.

The City recognizes seven holidays during the year:

- * New Year's Day
- * Martin Luther King Day
- * Memorial Day
- * Independence Day
- * Labor Day
- * Thanksgiving Day
- * Christmas Day

If any of these holidays falls on or before normal pickup day, trash pickup will be delayed until the following day. For instance, if Christmas falls on Monday, Tuesday, or Wednesday, pickup will be on Thursday. If the holiday falls on a day later than normal pickup day, there will be no delay in trash pickup for that week. For example, since Thanksgiving is always on a Thursday, there is no delay in our Wednesday pickup.

When the City announced its implementation of the automated trash pickup system in our area, it noted that its ordinances prohibit residents from storing trash containers at the front of their homes. Please be mindful that here at Springbrooke

trash containers may not be stored anywhere outside your unit. They must remain inside your garage and placed outside only for pickup, on pickup day.

21. Miscellaneous Community Restrictions

1. Use of blankets, sheets, etc. as window covering is prohibited except on a temporary basis when moving in.
2. Noise that distracts disturbs, or causes nuisance to others is prohibited.
3. Recreation equipment such as bicycles, toys, and similar items may not be left in the Common areas when not in use.
4. Lawn decorations and planters are prohibited in common areas, as this impedes the work of our contractors.
5. Outside hanging of laundry, sheets, blankets, and clothes is prohibited. This includes draping of laundry items over chairs on patios.
6. Seasonal decorations at your unit shall be installed 30 days prior to the holiday and removed within 15 days after the holiday. Seasonal decorations are prohibited in common areas.
7. United States flags may be displayed, either attached to your unit or in your limited common area. Your unit may already have an attached flag bracket placed on the building by a previous owner. If it does not and you want to display a flag on the building, approval must be obtained from the Board by completing the Architectural and Landscape Improvement Application form.
8. Soliciting on Springbrooke property is prohibited. A sign to this effect is posted at the entrance to our property.
9. Ohio State laws dictate that individuals who live in multi-home buildings of three or more units must use barbeque grills at least 10 feet from the building. At Springbrooke, outside storage of grills is not permitted on the street side of any building – multi-unit or single.
10. Garage sales are prohibited.

22. Association Contractors Working on Site

Whenever any special or regularly-scheduled work to be performed by the Association's hired contractors has the potential to inconvenience owners, notification will be made prior to the start of that work. An example of this might be the paving or resealing of streets, whereby owners may be requested to temporarily park their cars in another area.

It is deemed proper to have a casual conversation with the Association's contractors with regard to a particular project. However, if as a result of such a conversation, an owner does not agree with the manner or scope of that project, he should not discuss this with the contractor, but rather, he should contact the Managing Agent. This request is not intended to reduce or refuse services; it is intended to ensure that the contractor is performing work in accordance with the contract. Neither the Association nor a service contractor will be held responsible for maintenance, repair, or replacement of an owner's personal property in the Common areas.

23. Emergency Procedures

FIRE

1. Remove all occupants and household pets from the building.
2. Dial 911 to call the Washington Township Fire Department.
3. Call Towne Property Management at 937-222-2550. If it is after hours, the call will be directed automatically to an on-call maintenance technician.
4. Call your personal insurance company.

SEVERE WEATHER: TORNADO, WIND/HAIL STORM, OTHER NATURAL DISASTERS

A warning may be issued via siren or other means. It is recommended that you have on hand a battery-operated radio for weather monitoring and a Safety Pack for weather emergencies that includes items such as a flashlight, spare batteries, water, and other necessary supplies.

1. Seek inside shelter. Take all occupants and household pets to a small interior room without windows on the lowest floor, or to a hallway on the lowest floor away from doors and windows.
2. Remain sheltered until the storm threat is over.
3. Contact Towne Property Management at 937-222-2550 if there is damage to the building or grounds. If it is after hours, the call will be rerouted automatically to an on-call maintenance technician, who will arrange for any emergency repairs that might be necessary.
4. Contact your personal insurance company.

If an emergency service (i.e., police or fire department) asks for a general address, use the one for the clubhouse, which is:

Springbrooke Condominium Association
 7055 Brookmeadow Drive
 Centerville, OH 45459

The point of reference is Alex-Bell Road and Pelbrook Farm Drive.

EMERGENCY CONTACTS

ELECTRIC: Dayton Power & Light	1-877-468-8243
GAS: Vectren Energy Delivery	1-800-227-1376
WATER: Montgomery County Water Services	937-781-2688
CONDO MANAGEMENT: Towne Property Management	937-222-2550

24. Complaint Procedure

Community rules are aimed at promoting the health, safety, and general welfare of **all** residents. Your elected Board of Directors has a responsibility to ensure that community rules are observed and enforced. Complaints about rule violations must be submitted to the Managing Agent in writing and must contain:

- * The nature of the complaint, location, date/time, name/address of violator (if known), and any other pertinent details
- * The address and telephone number of the individual filing the complaint.

The Managing Agent will contact the alleged violator (and the unit owner if the violator is a renter) after the receipt of each complaint, and a reasonable effort will be made to gain the violator's agreement to cease the violation. This may take the form of a combination of phone calls and/or letters. If after a reasonable time, the violator still has not responded or complied, the Board has the discretion to begin assessing fines. If the violator is someone renting from an owner, the unit owner will receive these assessments.

Prior to imposing an enforcement assessment or charges for property damage, the Managing Agent, under guidance from the Board of Directors, shall give the unit owner a written notice including:

- * A description of the violation or property damage
- * The amount of the imposed assessment or charge
- * A reasonable date by which the owner must cure the violation to avoid the proposed assessment or charge

25. Fines and Penalties

The following is a partial declaration of rules violations that can impose a fine or penalty.

1. **Pet rule violation, too many pets:** Each violation may cause a \$25.00 per violation per month to be levied. After six months the Board will begin action to have the pets removed.
2. **Pet rule violation, pet not on leash or failure to remove feces in common area:** Unit owner may be fined \$25.00 for each violation. After sixth violation the trustees will act to remove the pets from the property.
3. **Nuisance behavior**, as described in paragraphs 15(b), (c) and (h) of the Condominium Declaration shall incur a fine of not less than \$100.00 but not more than \$500.00 per incident.
4. **Violations of the sign rule** shall incur a fine of \$5.00 a day after written notice is given. These amounts are due and payable with the next month's condominium fees. Failure to include this payment may incur the same late charge as for late condominium fees.
5. **Failure to properly dispose of waste** shall incur a \$10.00 fine per occurrence plus the cost of cleanup.
6. **Vehicle and parking nuisances** will incur a \$25.00 fine for each offense after a warning from the Managing Agent. A ticket placed upon the nuisance vehicle will be notice of fine and the possible removal of that vehicle. The costs of removal plus fines will be billed to the unit owner.
7. **All costs for extra cleaning and/or repairs stemming from any violation** will be assessed to the unit owner.

If a legal remedy is required, the violator shall also be charged with the total cost of that remedy, including any court costs and attorney's fees. Unpaid fees and damage charges are added to an owner's account and contribute to association fee delinquency rules; i.e., after three months, a lien and foreclosure can be filed against the Unit.

26. Service Telephone Numbers

The utility service numbers provided in the following chart are for the most common vendors used. Please note that it is possible to use an alternate gas, electric, or cable service.

Name	Service	Address	Telephone
Towne Properties	Managing Agent	6540 Centerville Business Pkwy Centerville, OH 45459	937-222-2550
Centerville Police	Police, non-emergency	155 W. Spring Valley Rd	937-433-7661
Washington Township Fire Department	Fire, non-emergency EMT, non-emergency	8320 McEwen Rd	937-433-7664
City of Centerville	City government	100 W. Spring Valley Rd	937-433-7151
Centerville Public Works Dept	Trash pickup		937-428-4782
U.S. Post Office, Centerville	Mail delivery Mailbox keys	7525 Paragon Road	937-291-1624
Dayton Power & Light Co	Electric service		877-468-8243 Outage 937-331-3900 Cust Svc
Vectren Energy Delivery*	Gas delivery & billing		800-227-1376
Montgomery County Environmental Services (Water)	Water, sewer		937-781-2688
Dayton Daily News	Local newspaper		937-222-5700
Spectrum (Time Warner Cable)	Cable service provider		937-294-6400

*Your gas supplier depends upon your choice of service.

27. Springbrooke Web Site

A Springbrooke web site is available at www.springbrooke.org. Designed for both current owners and prospective owners, it provides the following information:

- * Springbrooke Condominium Declaration of Condominium Ownership, including all amendments
- * By-Laws of Springbrooke Condominium Owners Association
- * Springbrooke Condominium Association Rules, Responsibilities, and General Information
- * Guidelines for satellite dish installation
- * Pet Registration Form
- * Clubhouse Reservation Request Form
- * Architectural and Landscape Improvement Form
- * Model details
- * Association fee schedule, based on POI (percent of interest)
- * Current Board members
- * Area amenities
- * Contact information, with e-mail ability
- * Newsletters

Record of Changes

Date	Pages	Section	Changes
Nov 2018	All	Complete reissue	
Nov 2020	25	16. Pets	One pet permitted