

## **Management of Overlook Condominiums at Heatherwoode**

**Apple Property Management** is the managing agent for Overlook at Heatherwoode Association. The management company functions under the direction of the Overlook at Heatherwoode **Board of Trustees**. Apple Property Management's address and phone number are:

Apple Property Management  
P.O Box 752108  
Dayton, OH 45475  
(937)291-1740

### **Association Rules and Regulations**

The Overlook at Heatherwoode Declaration sets forth various rules, regulations, and restrictions. The Board of Trustees may also adopt various rules, regulations, and restrictions. Under the Declaration, the Board of Trustees has the authority and the right to establish, changes, and delete rules and regulations it feels are necessary and a reasonable. **Each Condo Owner should read and abide by Overlook at Heatherwoode Declaration and Bylaws. (They are binding, legal documents.)**

**The rules contained in this Policies Document does not constitute a complete listing of the rules.**

### **Insurance**

Contact Apple Property Management for the name of our current insurance carrier. Insurance coverage on the exterior of the buildings and the other common, and limited common, areas is provided by the Association's insurance, and its cost is included in your monthly fee. The association's insurance policy has a **\$5,000** deductible.

**Since a portion of my condo fee pays for insurance, do I need insurance?**

**Yes.** The Association's insurance does not cover your contents or any improvements and betterments (which were not in the builder's original plans incorporated in the original purchase and specifications; i.e., wallpaper upgraded light fixtures).

We recommended that you have your insurance agent called the Association's insurance agent to determine what personal insurance coverage you need to carry to be sure you are adequately covered.

Each Condo Owner should carry liability coverage, as the Association's liability coverage is limited to the common and limited common, areas.

### **Common Elements**

**Common elements** of Overlook at Heatherwoode are: Lawns, walkways, parking areas, roads, structure of the buildings, lampposts in the parking area, and lights on front of garages. Other common areas are: foundations, roofs, main and supporting walls, trees and shrubs, pool area. Further description of the common area is detailed in the Overlook at Heatherwoode Condominiums Declaration, Article VI.

**Limited common elements** of Overlook at Heatherwoode include: porches, decks, patios, storage closets, air conditioning pads, carports, and garages.

**The condo owner** is responsible for all maintenance and replacement of everything within his/her unit and their limited common areas. **Please reference section 3.08 of the declaration for further explanation.**

### Condo Unit

Anything located within your unit, on your patio or deck, in your garage or storage area, and the doors of your unit is **considered private property. The Condo Owner is responsible for, and expected** to maintain all portions of his/her unit and all internal installations in the unit, and everything which exclusively serves that unit.

Also, it is the responsibility of each Condo Owner to maintain, repair, and replace at his or her expense, all portions of the common areas and facilities damaged or destroyed by reason of willful or uninsured negligent act or the negligence of himself or herself or any guest of the Condo Owner.

#### **Examples:**

**Broken window(s).** You, the owner of the unit are responsible.

**You have a problem with insects and other pests in or around your unit.** It is your responsibility to call an exterminator and pay for services rendered.

**Will Apple Property Management perform services that are the Condo Owners responsibility?**

Yes, but your charges will be at Apple Property Management's current labor rates. Contact Apple Property Management for information.

### Garages

Your garage door is **not** common area, and it is your responsibility to repair it. All replacements **must** first be submitted to Apple Property Management for approval by the Board.

### Building Care and Maintenance

All outside painting **must** be submitted to Apple Property Management for approval by the Board. This includes your unit's doors, sashes, etc.

**Outside lights.** To maintain, repair, and replace exterior light fixtures attached to the Unit; including the replacement of the light bulb is the unit owner's responsibility. If you notice a light post bulb that has burned out, please contact Apple Property Management.

### **Snow and Ice Removal for Walkways and Driveways**

It is neither practical nor feasible to totally control ice on the sidewalks and parking area. However, serious ice problems will be treated with potassium chloride or calcium chloride when possible. If you treat your own walks, please **DO NOT USE SALT!** It will damage the concrete. Potassium chloride or calcium chloride pellets are safer in cause less damage. These items can be found in hardware stores, grocery stores, etc.

**An independent contractor**, hired by the Board will remove snow from front walks, driveways and parking lots when snow reaches an accumulation of two (2) inches.

**HOMEOWNERS SHOULD TAKE GREAT CARE WHEN OUTSIDE AND BE ON GUARD FOR ICY OR SLICK AREAS.**

### **Lawn, Tree, and Shrub Care & Maintenance**

The Board hires contractors to mow and trim the lawns, prune the shrubs, and apply lawn and tree treatments. The lawns are usually mowed every seven to ten days. However, actual frequency depends on the weather and rate of growth.

**If you want to spray/treat the lawn** around your unit for insects/pests such as fleas or ants, you must first request Board approval. The lawns are fertilized and treated for weeds and insects four to five times each year, depending on what the Board believes is necessary.

**If you wish to add any additional landscaping around your unit**, you must submit all requests in writing to the Board along with plans drawn out on the attached form. The Overlook at Heatherwoode Declaration gives the Board authority over the building exteriors and common and limited common areas. This responsibility passes on to new owners when the unit is sold. The lawn care contractor will not maintain them. Consideration will be on a case by case basis.

### **Parking**

Parking of vehicles and any area other than obvious parking spaces or garages is **NOT AUTHORIZED**. Parking in front of condo units, other than the patio homes with driveways, is prohibited.

The following policy will apply:

**NO JUNK VEHICLES, COMMERCIAL VEHICLES, MOTOR HOMES, RECREATIONAL VEHICLES, TRAILERS, BOATS, TRUCKS OF MORE THAN ONE TON OR TRAILERS SHALL BE KEPT OR USED UPON THE COMMON ELEMENTS (EXCEPT FOR BONA FIDE EMERGENCIES) ARE PERMITTED AND MAY BE TOWED.** Only the management company has the authority to authorize towing with the towing contractor. Neither the condo Association nor Apple Property Management will be financially responsible for any vehicle towing nor storage costs.

**Emergency auto repairs in parking lot or driveways.** If you must, in an emergency, perform mechanical work on your vehicle, care shall be taken so that fluids from the car cannot spill or drip on the asphalt surface. No extensive engine or body work shall be performed on Overlook at Heatherwoode property

### **Flower Beds and Patio Landscaping**

The Board encourages owners or tenants to plant flowers in the beds around their units without requesting Board approval. No plants that cling to, or climb up the buildings, are to be planted. Maintenance of any plants or flowers planted by the owner is the responsibility of the owner. The Association, Apple Property Management, and the lawn care contractor will **not** be responsible or liable for damage done to, or owner's plantings in the course of lawn or shrub care.

If you wish to put lawn ornaments, birdbaths, or other decorations on or around your unit, you must request in writing Board approval. These requests should be sent to Apple Property Management. It is your responsibility to trim the grass around these objects and maintain them.

### **Exterior Changes to the Units and Buildings**

Nothing shall be altered, constructed, removed or added to the common area. All exterior additions or changes must be first approved by the Board of Trustees. Requests for exterior additions or changes **must** be made in writing and submitted to the Board, c/o Apple Property Management.

**To add storm doors** you must have Board approval.

Satellite dishes are allowed but the installation location must be approved by the Board before work begins. The decision on insulation location will vary on a case – by –case basis. Satellite dishes are not permitted to be on Common Element. Because the Association has certain guidelines to follow for exterior alterations, the Association has the authority to remove any alterations that do not meet Overlook at Heatherwoode specifications, at the cost of the condo owner

Requests for exterior additions, changes or maintenance, must be in writing and mailed to Apple Property Management to guarantee uniformity. Contact Apple Property Management for Board approved materials to make changes.

### **Selling a Unit**

One professional 36"x 24" real estate sign may be placed outside your unit. For Rent/Lease signs are not permitted to be displayed.

**If you intend to sell your unit** you should inform Apple Property Management. **If you sell your unit, your copy of all governing documents** (the Declaration, Bylaws, Overlook at Heatherwoode Association Policies Document, etc.) are to be given to the buyer. If you have lost your copy, a replacement can be purchased from Apple Property Management for a nominal charge.

### **Leasing of Unit**

Every lease on every unit in the condominium property is subject to the following rules and regulations set forth in Section 13.17 (page 29) of the declaration, regardless of whether such provisions are set forth in the lease. Within thirty (30) days of occupancy by the tenant, the name, and telephone number of the tenant, together with a clear and complete copy of the lease, must be furnished to the management company or to an officer or Trustee of the Association.

### Mailboxes

Contact the Post Office for any repairs to your mailbox. Make sure you tell them you live in a condominium complex.

### Going Away for Awhile

If you are going to be away for a few days you should notify the police, a neighbor, and Apple Property Management. Apple Property Management should also be given the name and telephone number of a person who has a key to your unit, so that if there is an emergency (i.e., water leak), Apple Property Management can get into your unit to stop a leak or prevent further damage.

Leave the heat on at least 65° *degrees* if you are going to be away during cold weather, even if it is only overnight. Also keep cabinet doors to the pipes that are on an outside wall open. Turn off the main water supply valve whenever going away. Remember to turn off the circuit breaker to the water heater to avoid damage to the heating elements in case of leaking.

Be sure to stop newspaper deliveries, etc., while you're away.

### Pets

Article XIII of the Overlook Condominiums at Heatherwoode Declaration outlines a pet policy for the community. All Condo Owners are expected to abide by this policy. Failure to follow the pet policy will result in fines according to the fine policy.

In addition, dog owners are not to permit their dogs to bark excessively *at any time*, including when the owner is away. **Pets are not permitted to run loose any time.** They must be on a leash at all times and under control of the animal owner. Pets are not permitted to be tied outside at any time. No chains, stakes, or visible fences are permitted in the common area and will be removed. Please report any unleashed pets to the Animal Control or the police.

**ALL PET DROPPINGS ARE TO BE PICKED UP IMMEDIATELY AFTER OCCURRING.** It is the pet owner's responsibility to clean up after the pet. If the Board should consider it necessary to clean up the fouled or damaged area, **the owner will be billed for this service.** The common areas must be kept clear of droppings.

Leashes and any other animal related paraphernalia that might hinder lawn care or maintenance must not be left outside.

### Trash

Trash is to be disposed of in trash cans. Trash cans must have closeable lids. Trash cans are to be taken back inside at the end of the day. If you will be away, ask a neighbor to put your can(s) away.

**PAPER BAGS OR CARDBOARD CARTONS** are not to be left outside overnight. Items that the trash company won't take on their regular pick up include furniture, appliances, mattresses, box springs, and other large items. You must make special arrangements with the trash company to have these items picked up. This could be an additional expense to you. Trash containers are to be stored inside your garage or storage closet on other than pick-up days. The management company will confiscate (but will not empty) containers left outside in unauthorized places and the Condo Owner will be assessed a \$25.00 fine. Containers will be returned upon payment of the \$25.00 fine.

### Clotheslines – Laundry

No clothes, sheets, towels, blankets, laundry of any kind shall be hung out or exposed on any part of the common and limited common areas and facilities, including patios and decks.

### Seasonal Decorations

Seasonal decorations are permitted in limited common areas only and must be removed by the end of the season. Holiday decorations are to be installed not prior to November 23<sup>rd</sup> and must be removed by January 7<sup>th</sup>. Decorations must be in good taste. Inappropriate decorations will be determined by the Board, and unit Condo Owners will be asked to take down decorations deemed inappropriate for the community. If the management company is required to remove any decorations due to an inappropriateness or failure to comply with time frames, the unit owner will be assessed a fine according to the fine policy.

### Other Reminders

No industry, business, trade, occupation or profession of any kind, commercial, religious, educational or otherwise, designated for profit, altruism, etc., shall be conducted, maintained, or permitted on any part of the condominium property.

Bicycles, toys, etc., are not to be left in any common areas. Roller blades, skate board, etc., on the sidewalks is prohibited.

Loud noises, such as radios, stereo's, TV's, parties etc., which are, irritants to your neighbors should be minimized. Immediate action should be taken to remedy the situation if you are notified of the irritant. This includes loud noise from motorcycles or other motorized vehicles.

### Condominium Fees

The monthly condo fees are due on the **FIRST DAY OF EACH MONTH**. A ten (10) day grace period is granted, and fees must be postmarked on or before the tenth of the month to avoid a \$20.00 late charge being automatically assessed to your account.

Checks should be made to Overlook at Heatherwoode.

Any payment postmarked later than the tenth day of the first month of the period is presumed late.

#### **Your monthly fee pays for a variety of your Association's expenses including:**

- insurance on the exterior of the buildings and other common elements
- exterior and common area maintenance
- lawn care, common area landscaping, and snow removal
- administrative expenses
- pool maintenance, equipment and furniture

Since your fees are important to the operation of the Association as described above, delinquent Condo Owner accounts will not be tolerated. If a unit is being rented and fees are in arrears as stated above, the owner and the renter will be enjoined in any legal action.

The Board recognizes that unfortunate circumstances may cause a Condo Owner to develop a past due account. In those cases, it is the owner's responsibility to communicate with Apple Property Management so that alternative payment plans may be discussed with the Board.

**Fine Policy**

To insure compliance with the rules and regulations, in those rare instances when a friendly reminder doesn't work, the following schedule of fines for repeated violations has been instituted by the Overlook at Heatherwoode:

**EVENT**

**FINE**

First Time Rules Violation:	Written Notice
Second Time Rules Violation:	\$25.00
Third Rules Violation & each Subsequent and/or Continuing Offense:	\$ 50.00

Fines will be assessed against the Condo Owner. A lien will be recorded on the owner's unit if the fines are not paid when due.

In the case where the unit is a rental, it is the Condo Owner's responsibility to advise the tenant of these rules and regulations.

Apple Property Management will notify the owner when a fine has been levied. Payment of the fine shall be due in the next monthly fee payment after receipt of the notification.

The unit owner may request a hearing with Apple Property Management and the Board upon receiving notice that a fine has been assessed

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**PLEASE BE CONSIDERATE AND COURTEOUS TO YOUR NEIGHBORS!**

*Show your sense of PRIDE in our Community by keeping it clean and safe!*

**The Clubhouse and pool are for the exclusive use of homeowners and their guests pursuant to the following regulations:**

## **Pool and Clubhouse Rules**

1. **NO LIFEGUARD IS ON DUTY!!! YOU ARE SWIMMING AT YOUR OWN RISK!!!**
2. Residents are responsible for their guests' behavior both at the pool and clubhouse. This has been the most common problem with the pool in the past.
3. **Guest must be accompanied by a homeowner** and are limited to two (2) guests per day, per household. Members will be held liable for the actions of their guest.
4. Children under the age of ten (10) must be accompanied by an adult member or a babysitter with written authorization from a parent.
5. Proper swimming attire is requested for swimming.
6. Persons with contagious diseases or open infected sores will not be allowed in the pool.
7. No street shoes may be worn in the pool.
8. All beverages must be in cans, paper or plastic containers.
9. Running, pushing, tag games or any such unsafe activity will not be permitted.
10. No pets or animals of any kind in the pool area.
11. Pool furniture may be used on pool deck only. Do not remove it from this area. This is your furniture. Please do not abuse it.
12. Radios are to be played at a low tone only. Use earphones whenever possible. **Outdoor music must end at 10:00PM**
13. No furniture is to be placed within five (5) feet of the pool edge.
14. The association will not be responsible for the loss of personal property.
15. Residents 21 and over are permitted to bring alcoholic beverages into the pool area but only in throw-away, plastic containers or cans, (no glass allowed).
16. No skateboards, roller blades on sidewalks or in the pool area. Bicycles are not permitted in the pool area.
17. Foul language, horseplay and other behavior which serves to detract from a responsible and pleasant atmosphere is strictly forbidden.
18. ***Pool gates are to be kept locked at all times. The last person leaving will be responsible for locking of the gate. Each owner has been provided a pool gate key. Please contact the management company if you lost or need a replacement key.***
19. Pool keys also allow access to the restroom facilities at the rear of the clubhouse.
20. Access to the pool is through the pool gate. The main entrance to the clubhouse will be locked at all times. The side and rear doors, inside the enclosure, will be open for the access to the restrooms and kitchen.
21. The pool phone is for **EMERGENCIES ONLY**
22. There will be no lifeguard on duty, swim at your own risk, although we do ask for you not to swim alone.

### **Clubhouse:**

1. Use of the clubhouse for private parties is by reservation only to prevent conflicts.
2. **Clubhouse reservations DO NOT include exclusive use of the pool.**



3. There is no deposit required for reserving the pool house, but the homeowner reserving the clubhouse will personally be responsible for the conduct of his/her guests and all expenses which may be incurred for cleaning and/or damage to facility or contents.
  4. Smoking is **NOT** permitted in the clubhouse.
  5. All trash must be removed from inside and outside the clubhouse.
  6. Private events are not permitted on Memorial Day weekend, Independence Day (and following the weekend if the 4<sup>th</sup> of July falls on a Friday), and Labor Day weekend.
- We request that you keep the door shut between the restroom area and the main area and be mindful of the temperature setting. Ideally we would like to see the thermostat set at 80 if the clubhouse is not in use.
  
  - Please contact the clubhouse coordinator to reserve the clubhouse.

**REQUEST FOR**  
Exterior or Landscape Alterations

Printed Name of Condo Owner \_\_\_\_\_

Signature of Condo Owner \_\_\_\_\_

Address of Condo \_\_\_\_\_

Date of Request \_\_\_\_\_

I hereby request permission to make the following exterior or landscape change, addition, or alteration. The plans and specifications showing nature, kind, shape, dimensions, materials, and location(s) of the same are shown below and/or attached hereto.

I understand that I bear all liability and financial responsibility for this change, addition, or alteration. I agree to acquire any necessary government permits and, further, to maintain such change, addition, or alteration accordance with the standards set by the Board of Trustees. I further understand that any damage to the common area that results from this alteration is the responsibility of the condo owner and any subsequent condo owners.

**SPECIFICATIONS**

Received By \_\_\_\_\_

Approved By \_\_\_\_\_ Disapproved By \_\_\_\_\_

Date \_\_\_\_\_

