

SPYGLASS TOWNHOMES OWNERS ASSOCIATION, INC.

GENERAL COMMUNITY RULES

*Amended and Adopted by the Board of Directors
May 13th, 2022*

**new language has been underlined.*

In addition to the covenants, conditions, and restrictions contained in the Declaration of Covenants, Conditions, and Restrictions of the 68V SPYGLASS 2016, LLC, dated the 19th day of December, 2019 and subsequent Amendments and the By-Laws of SPYGLASS TOWNHOMES OWNERS ASSOCIATION, INC. dated the 28th day of August, 2017, and subsequent Amendments, the following rules are hereby adopted by the Association Board of Directors and are enforceable by the Board of Directors of the Association. All capitalized words as used herein shall have the same meaning as given to the said word in the Declaration and subsequent amendments unless a different meaning is meant by the use of the said word:

- 1.** The Common Area and Common Elements of the Community are for the use and benefit of the Owners and their guests.
- 2.** Within the community there are certain designated walkways and sidewalks for the use and benefit of the owners and their guests which are to be used for access at all times. Shortcuts shall be avoided, both to prevent accidents and to preserve the appearance of planted areas. No motorized vehicle shall be operated or parked on any walkway, sidewalk or common area, except by authorized maintenance personnel. Parking Areas are to be used for Owners or their guests. No vehicle shall be parked in such a manner as to impede or prevent ready access to drives or other parking areas. No parking space, driveway, or other areas shall be used for the storage or parking of any boat, boat trailer, camper trailer, or any other sort of towed vehicle or object. All traffic regulations posted within the community must be obeyed by the Owners, renters, and their respective guests. Overnight parked vehicles cannot be parked on the Common Areas, including the streets, but must be parked in garages, private driveways, or overflow parking spaces. No Owner or guest shall wash cars, trucks, boats, or other vehicles at or around the swimming pool, or on any Common areas. All such activities shall be confined to the Owner's Lot. Golf cart operation shall be limited to those authorized by city ordinance to operate a golf cart (of legal age/licensed driver) and to golf carts that meet the requirements for use within the city limits of Orange Beach that have been inspected and have the appropriate registration.
- 3.** Under no circumstances shall laundry or other articles be placed or hung on the exterior of any unit/home, or other improvements.
- 4.** No one shall make or permit any noises that will disturb or annoy the Owners or do or permit anything to be done which will interfere with the rights, comfort, or convenience of others. Noise and discomforts as would normally occur during the construction of any buildings and improvements, the plans for which have been approved by the Architectural Review Committee withstanding. Construction shall be confined from 8:00 am to 5:00 pm unless special permission is granted by the Board of Directors.
- 5.** Each Owner shall keep such owner's home and lot in a good, clean, safe, and well-kept condition. Owners shall pick up all solid pet waste immediately if not within the confines of Owner's lot. Pets must be leashed at all times when off an Owner's property or cannot be reasonably expected to remain on the Owner's property if not leashed (this includes the street and all common areas). The only exception being voice controlled service dogs that would be prevented from performing the service for which they are trained by being leashed.
- 6.** All garbage and refuse shall be placed in the proper garbage container which may only be placed at the designated pick-up point during the hours that garbage is to be picked up by the waste disposal company. No trash or other articles shall be burned. Construction refuse shall not be placed anywhere except in approved construction refuse containers. Garbage collection for individual homes is made by a city contracted solid waste removal company (Republic Services) two days each week and there is a dumpster at the community entrance for

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disposing of household garbage if an owner cannot utilize the trash pickup service. All garbage containers must be kept within each Owner's enclosed garage. No trash/garbage is to be left outside the dumpster at any time. All residents are required to use the trash cart/container provided by the city (Republic Services) if utilizing the pick up service, no other trash cans are authorized. Each Owner is responsible for establishing their service. All containers are required to be placed back in the Owner's garage the same day as the garbage is picked up. The sidewalks, walkways and driveways must not be obstructed or encumbered or used for any purpose other than ingress, egress, and regress.

7. Owners are reminded that alteration, repair, and maintenance of the Common Area and the Common Facilities are the responsibilities of the Association.

8. No radio or television antenna shall be attached to or hung from the exterior of any building without the written approval of the Board of Directors of the Association. Satellite dishes are allowed with authorization of the Architectural Review Committee.

9. The Association, contractors, or agents shall have the right of access to any Common Area to make inspections, repairs, replacements, maintenance, or improvements or to remedy any conditions which would result in damage to portions of the Common Areas or for any purpose permitted under the terms of the Declaration, or the Bylaws of the Association.

10. No signs are allowed on any lot or home by any owner, except for a single sign marketing the home for sale or rent.

11. No temporary or permanent basketball goals are allowed.

12. No hazardous materials shall be stored on any portion of the properties comprising the community.

SWIMMING POOL

13. All persons using the swimming pool do so at their own risk. The Association shall not be responsible for any accident or injury in connection with the use of the pool or for any loss or damage to personal property. Persons using the pool area agree not to hold the Association or its Board of Directors liable for any actions of whatever nature occurring within the pool area.

14. Persons twelve (12) years of age or under must be accompanied always by an adult while in the pool area.

15. Except by prior arrangement with the Board of Directors, the number of persons in any Member's group in the pool at any one time shall not be excessive (approximately six (6)). Each group shall be respectful of how their group is impacting the use of the pool by other Members. These larger groups may be requested to limit their pool time on a case-by-case basis.

16. Owners are responsible for the conduct of their guests always, and for the careful observation of all safety and sanitation precautions. Any person having an apparent or known skin disease, sore or inflamed eyes, cough, cold, nasal or ear discharge, or any other communicable disease shall be excluded from the pool.

17. No boisterous or rough play shall be permitted in the pool or the pool areas.

18. All persons are requested to cooperate in maintaining maximum cleanliness and tidiness in the pool areas.

19. Food or glassware is not to be brought into the pool areas and no breakable glassware shall be brought onto the patios or pool areas. Non-breakable glassware shall be removed after each visit.

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20. The pool shall be used under the rules and regulations as shall, from time to time, be promulgated by the Board of Health of the City of Orange Beach, Alabama, and/or by the Board of Directors of the Association, which rules shall be posted by the Board of Directors.

21. The pool will be closed from 10:00 PM to 6:00 AM, local time, and during such other times and seasons as may be decided by the Board of Directors of the Association.

22. All trash must be placed in trash containers. All personal items must be removed from the pool and patio area when owners and their guests depart.

23. Undue noise, boisterous or rough play will not be tolerated.

COMPLAINTS

24. Complaints regarding the management of the Community and regarding the actions of other owners or persons shall be made in writing to the Board of Directors. The Association may assign to one or more persons, or to a manager, full responsibility for the enforcement of all or any one of these Rules and Regulations or for additional rules and/or regulations adopted by the Association from time to time. Any complaint or dispute as to any application or enforcement thereof shall be made in writing to the Board of Directors setting forth the nature of the matter complained of, and the names of all parties aggrieved and/or charged because of such matter. Upon receipt of such complaint said Board of Directors may, in its sole discretion, decide the complaint without a hearing. In the event the Board of Directors elect to hold a hearing upon such complaint, not less than five (5) days' notice thereof shall be given in writing to each person named in the complaint as aggrieved and/or charged, stating the date, time and place of such hearing. Proceedings before the Board shall be informal, without technical rules of evidence, and each party aggrieved and/or charged shall be entitled to be present in person or by their attorney and to be heard.

DAMAGES

25. All damages to the Common Area, the Common Elements, and any property or improvements owned by the Association occasioned by the willful or negligent acts of an Owner, an Owner's family members, or the guest or invitees of such Owner shall be the obligation and responsibility of such Owner and such Owner and such Owner's Unit shall be subject to all assessments for all repair or repairs, cost and expense made or incurred by the Association in connection therewith.

26. Each individual owner will be responsible for all damages to the dwelling and surrounding property directly or indirectly due to any flames pertaining to grilling. All injuries, loss, or damages caused by the unintentional acts, intentional misconduct or negligent acts or omissions of such party are excluded from an association insurance claimable event. By use of a grilling apparatus of any sort you agree to indemnify and hold harmless the association from all obligations to file a claim or be held liable for your loss. Should the association obtain a loss due to the use of grilling to the common areas the association will make repairs and subrogate back to you the owner of said dwelling by way of assessment which will be enforceable with late fees and lien process.

AMENDMENT AND ENFORCEMENT

27. Any consent or approval given under these rules by any person designated as Manager or any person or committee designated as being responsible for the enforcement of any of these rules, and/or for the use of any Common Facility, shall be revocable at any time by the Board of Directors of the Association.

28. These rules and regulations are subject to amendment by the Board of Directors of the Association.

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29. In the event, any of the above regulations are not adhered to by any Owner, the Association shall have the right to take any action deemed necessary to correct the violation. All costs associated with this action to remedy the violation shall be paid within 30 days of the date of the notice of the billing statement provided to the Owner by the Association. If the debt is not paid within the designated time, the Board of Directors of the Association shall have the right to levy a Special Assessment as provided in Article 4.08 in the Conditions, Covenants, and Restrictions and to have and exercise all rights and benefits as provided in Article 2 of the Declaration.

30. Failure to comply with these General Community Rules, Covenants, Conditions and Restrictions, and Bylaws may result in the assessment of fines. The Owner will receive a notice of violation/Warning notification either by electronic mail or registered USPS letter for the first violation and notification by the same method/s for subsequent violations and assessed fines. A \$50 per day fine (plus interest, until corrective action is taken) will be imposed for subsequent violations. The Owner will be given a reasonable date by which to act, however, if more time is required, please contact Waves Association Management at 251-943-7410. The interruption of work performed by contract workers will result in a \$100 fine per occurrence. If there are concerns regarding work being performed, contact Waves at 251-943-7410. For parking offenses other than unauthorized parking in a handicapped parking space, Owner's registered vehicles will be fined in accordance with the schedule above while unregistered vehicles will be towed at owner's expense by 1st Call Tow and Recovery (251-550-9680) located in Foley. Unauthorized parking in Handicapped parking spaces will be handled in accordance with city ordinance.

31. Property Liens will be assessed for financial arrears of more than \$300. The cost of adding and removing Liens will be charged to the Owner. Interest will be assessed to financial arrears at the highest amount allowed by law.

*Spyglass Townhomes Owners Association, Inc.
Board of Directors*

The information furnished in this document is intended for the general health and welfare of the Members of the Association and to preserve the charm, beauty, and value of the Development and to cover the majority of the matters and concerns that will need to be considered, however, this document may not properly address every matter, therefore, an Owner should carefully review the Declaration, By-Laws, their Amendments, and the Development Guidelines. Each of said documents, these Rules and Regulations, and any other information as may be deemed pertinent, will be considered by the Architectural Review Committee and/or the Board of Directors of the Association in granting their respective approval as to all matters requiring the approval of the Architectural Review Committee and/or the Board of Directors of the Association and/or the enforcement of the conditions and restrictions contained in said documents.