

SECTION X

RULES & REGULATIONS

**WILLOW POINT COMMUNITY ASSOCIATION
RULES**

**SECTION 1
INTRODUCTION**

The term "community association" refers to a form of property ownership, rather than a type of architecture. Thus, the association form of ownership can be associated with any type of structure, including commercial properties. However, it is most typical for residential ownership to occur in a mix of townhouses, single family, and commercial structures. While used for centuries in Europe, community association ownership in the United States only became widespread in the late 1960's. WILLOW POINT COMMUNITY ASSOCIATION is organized under the requirements of the VIRGINIA PROPERTY OWNERS ASSOCIATION ACT. The VIRGINIA PROPERTY OWNERS ASSOCIATION ACT is legislation enacted by the Virginia General Assembly that provides guidelines for developers and associations related the formation and operation of Community Associations. Since Community Association ownership has no basis in the English common law system, such state enabling legislation is necessary to permit many types of development.

Just like the owner of any detached single family home, the Association homeowner is the sole owner of his or her home, holding title in fee simple. But, in addition, the homeowner holds a membership interest in other property, including the land upon which the entire Association is developed, parking facilities (if any), lawns, recreation areas, and other Association facilities and property. This property, referred to as the "common areas," is owned by all homeowners in the Association through their membership in the Association.

The membership interest each owner has in the common areas cannot be separated from the ownership interest in his or her home. Thus, the share of interest in the Association-owned property is directly related to the member's ownership of a home in the Association.

The ownership of a home in the Association gives a homeowner the right to participate in the administration of the Community Association. Additionally, each owner has an obligation to pay a defined share of the expenses of operating and maintaining all common (which in Willow Point includes streets, street light electricity, entrance median and other common landscaped areas at the intersection of Willow Point and Willow Cove and along Willow Cove across from 1604-1614).

The WILLOW POINT COMMUNITY ASSOCIATION, hereafter referred to as the Association, will be administered by an elected Board of Directors and managed by a property management group, Harrison & Lear. The establishment and operation of the Association and operation of the Association is based on two legal documents, the Declaration and by By-Laws, both of which have been developed in conformance with the requirements of the VIRGINIA PROPERTY OWNERS ASSOCIATION ACT.

The Board of Directors, elected from and by their community at an annual meeting, is responsible for administering the affairs of the Association, to include setting and enforcing policies for the Association, reviewing and approving the budget, hiring contractors and any necessary management for maintenance of the Association, and providing guidance for all committees.

Rules 2 of 13

As required by the By-Laws, an annual assessment, payable in four quarterly payments, is assessed upon each homeowner to fund the expenses of the Association. The common expenses are divided into a working operating fund and a reserve fund. Assessment payments are due on the first day of the month of each quarter. A late charge of \$25.00 will be imposed on payments received after the tenth of that month. Payments or questions about your account should be addressed in writing to: Harrison & Lear, 2310 Tower Place, Suite 105, Hampton, VA 23666, 757-825-9100.

Certified letters regarding accounts late assessments will be assessed a \$16.00 charge to each homeowner receiving a notice. This amount will cover \$10.00 for mailing and \$6.00 for Harrison & Lear's time to send out notice.

Management services for the Association are provided by Harrison & Lear. These services include common area management and general administration service to the Board of Directors.

**SECTION II
STANDARDS FOR USE OF PROPERTY**

The documents titled "Villages of Kiln Creek Owners Association Rules" and Villages of Kiln Creek Owners Association Architectural Standards" shall govern all homeowners and residents of the Village of Willow Point. In addition, the following MORE RESTRICTIVE standards apply to all homeowners and residents of the Village of Willow Point.

NOTE: the numbers of each standard listed are the same as the numbers in the Kiln Creek Homeowners Documents.

1. Animals

The number of ordinary domestic pets excluding caged animals and birds and those maintained in an aquarium shall not exceed two animals. All dogs must be on a leash when outside. Pet owners must clean up after their pets. Cats are not permitted outside the home.

8. Fences

Dog eared fences and divider privacy fences between neighbors house are to be stained. Those fences that are stained gray. At such time that those fences are replaced (in accordance with the VOKCOA Architectural Standards), the replacement fence shall not be stained, but left natural. All new fences placed after April 12, 2005 will be left natural.

18. Holiday/Seasonal Decorations and Lighting

Holiday/Seasonal decorations as used herein means those temporary decorations and lighting associated with a particular national, state, local or religious holiday. These decorations may be displayed without ARB approval for up to 7 days before and 7 days after each holiday, except Christmas and Hanukkah decorations which may be displayed from Thanksgiving through January 10th of each year. Owners are urged to take care and exhibit consideration for their neighbors when displaying Holiday/Seasonal decorations so as not to cause an unreasonable source of annoyance to occupants of neighboring property.

19. Sprinklers and Water Hoses

Except when in use, water hoses and sprinklers shall be stored in a neat and orderly fashion,.

21. Landscaping

All homeowners shall maintain their yards and landscaping materials to a consistent and aesthetically pleasing manner. Shrubs shall be kept pruned in proportion to the building structure and lot size. Shrubs shall be pruned so that the house numbers are clearly visible from the street. Bedding mulch materials shall only be brown organic material or brown pea gravel. No other materials are permitted. Any changes must be approved the Kiln Creek Architectural Review Board.

24. Leasing

All leases shall provide that the right of the lessee to use and occupy the home shall be subject and subordinate in all respects to the provisions of the Declaration, By-Laws and the Rules and Architectural Standards of the Villages of Kiln Creek Owners Association and the Willow Point Community Association. No dwelling shall be used or occupied for dormitory, transient or hotel

purposes. All leases shall be on a written form and shall be for a one year minimum. A copy of all leases and emergency contact name and phone numbers shall remain on file with the Harrison & Lear, 2310 Tower Place, Suite 105, Hampton, VA, 757-825-9100.

Willow Point has a rental cap agreement in place. This document determines the number of homes that can be rented. Any homeowner desiring to lease their home must contact Community Group. The Lease Agreement states that the rental cap is 15% or 19 home rentals in Willow Point.

25. Mailboxes

Mailboxes are located in front of each home (See Specifications in Section 3). The Association will not provide maintenance for mailboxes. The resident of the home is responsible for maintaining the mailbox and supporting post. Decorative mailbox covers are not permitted. House numbers shall be no more than 4" in height and shall be positioned only on the front or right-hand side of the mailbox.

30. Noise

All residents shall exercise due consideration at all hours in the operation of radios, televisions, musical instruments, lawn care equipment, or any other items to ensure that the sound will not disturb other residents.

33. Parking

Vehicles shall not be parked so as to obstruct the spaces for other vehicles or for access for emergency vehicles. No vehicles shall be parked with "For Sale" signs. Except for minor adjustments, repairs to vehicles (including painting of vehicles) shall not be permitted at any time. Drainage of any automotive fluids is prohibited. The management company shall make a reasonable attempt to give notice to the owner of any offending vehicle. If such vehicle is not removed or the violation corrected, the management company shall have the offending vehicle towed at the expense and risk of the owner of the vehicle. RV, Pods, trailers and boats can not be parked at anytime. Variance for one night for a boat should be obtained from Kiln Creek Homeowners Association.

38. Residential Use

Except as otherwise provided herein and in the Governing Documents, lots shall be used exclusively for single family residential purposes. No sub-letting of any part of any residence shall be allowed.

39. Sale of Lots

Virginia law **requires** sellers of residential property to order a disclosure package for their purchases. Upon an Owner's request, the Kiln Creek Association will provide a disclosure packet as required by the Virginia Property Owners Association Act. In addition, all sellers shall order a Willow Point Association disclosure package for their purchasers from the management company, Harrison & Lear, 2310 Tower Place, Suite 105, Hampton, VA, 757-825-9100. Seller shall assume responsibility for the cost of both disclosure packages.

42. Signs

No vehicle shall be parked with a "For Sale" sign. No commercial vehicles shall be parked overnight anywhere. Violation of this rule could result in a \$50.00 fine for each occurrence. No PODS are allowed.

43. Solicitation & Pamphleteering

Solicitation and pamphleteering is prohibited in Kiln Creek.

47. Trash

Garbage and recycling pick-up are on Thursday. If a holiday is on Thursday, pick-up will be the following Saturday. Special garbage and yard waste pick-up is on Monday. Receptacles shall not be placed at the curb before 6:00 PM prior to collection days and shall be removed that evening before 9:00 PM. All receptacles and all debris shall be placed **only in front of the homeowner's property, not in front of any common area.** Debris and yard waste placed on the golf course or on the lake edge is strictly prohibited. All trash receptacles and yard waste shall otherwise be stored out of sight lines. All trash and yard waste collection shall be collected in clear plastic bags and tied securely. Black plastic bags are not permitted by the City of Newport News. It is the responsibility of each resident to clean up any and all remains that may be left after any and all collections.

Recyclable items are:

- Aluminum cans and metal food cans
- Aluminum foil and foil products
- Empty paint and aerosol cans
- Milk cartons
- Juice boxes
- Paperboard items (cereal boxes)
- Glass bottles and jars (clear, green, brown)
- Plastic bottles and jars (with a neck and a #1 or #2 on the bottom)
- Corrugated boxes (flattened and no larger than 3'x3')
- Brown paper grocery bags, magazines, newspaper, telephone boxes, junk mail (including inserts)

RIGHTS OF HOMEOWNER/RESIDENT

Nothing contained in this document shall be deemed to limit or otherwise affect the rights of the homeowner and/or resident as set forth in the Association instruments and the Association Act.

**SECTION III
EXHIBITS**

1. Lighting

The only approved exterior lighting fixtures are Kichler 9611AB, 9613OB and 9613PB. Kichler 9611AB and Portfolio Item #66580 shall be used for garage front and side lights. Kichler 9613OB or 9613PB and Portfolio Item #66580 may be used at front door and back door location. These fixtures may be found at [www. Kichler.com](http://www.Kichler.com) or at the following locations or Lowe's for Portfolio fixture:

Rexel Electrical Suppliers
12685 McManus Blvd.
Newport News, VA 23602
757.886.1236

Dixie Electric Supply
1637 Merrimac Trail
Williamsburg, VA 23185
757. 253.1440

Electrical Suppliers
1320 London Blvd.
Portsmouth, VA 23704
757.397.4631

Electrical Suppliers
3796 Progress Rd.
Norfolk, VA 23502
757.397.3931

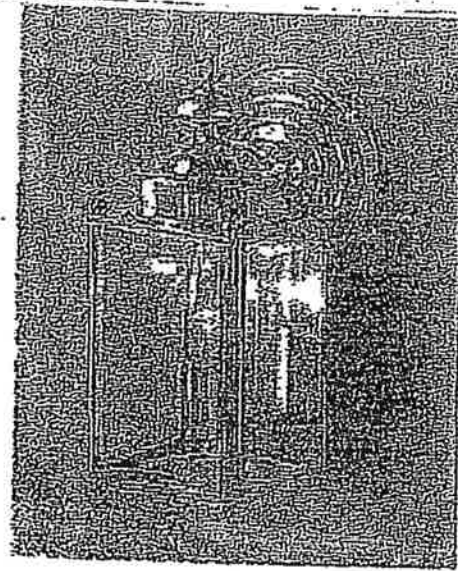
Atlantic Lighting
1648 S. Military Highway
Chesapeake, VA 23320
757.523.1739

Coastal Lighting & Display
1020 Executive Blvd.
Chesapeake, VA 23320
757.436.7595

Lowe's of Newport News
300 Chatham Drive
Newport News, VA 23602
757-988-0212
(Portfolio light only)

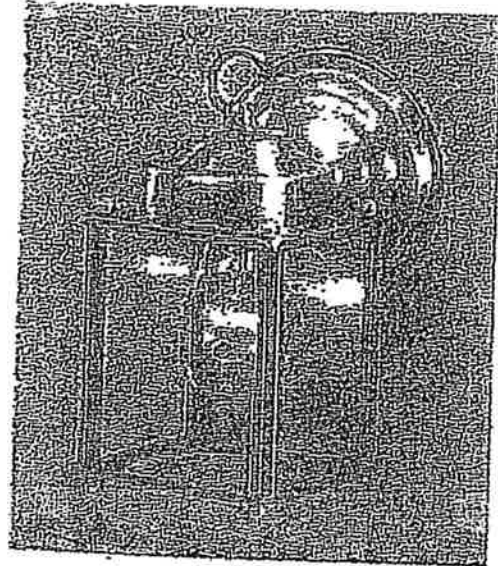
Kichler Lighting 9613 PB (Polished Brass)

Height: 10.25"
Diameter/Width: 4.75"
Extension: 5.75"
Cost: \$28.00 approx.



Kichler Lighting 9611 AB (Antique Brass)

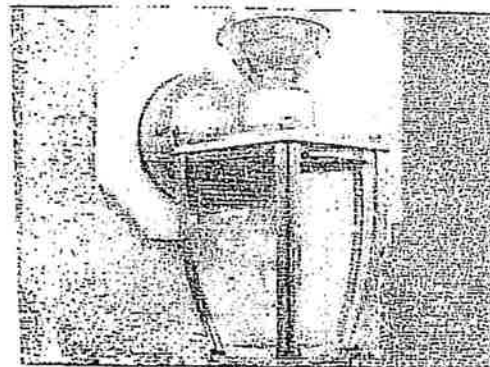
Height: 8"
Diameter/Width: 4.75"
Extension/Length: 5.25"
Cost: \$15.00 approx.



PORTFOLIO

Carriage light, polished brass with a
motion/dust sensor

Item #66580 App. \$40.00



2. Paint

- a. Only the colors listed in these documents are approved for exterior use in Willow Point. The following pages contain tables of approved color combinations, and which combination is assigned to each home. Paint "chips" and color formulas for each color combination are available for inspection at the management company, Harrison & Lear, 2310 Tower Place, Suite 105, Hampton, VA 23666, 757-825-9100.
- b. A VOKCOA ARB application shall be submitted for any deviations from approved colors. Only requests for new front door colors will be considered, and will be handled on a case-by-case basis. All ARB applications for new colors shall include a paint chip, manufacturer name, paint name, and serial number. No requests for deviations from garage door, side door, and trim colors will be approved.
- c. A front door with existing color that is not approved shall be considered in violation and shall be repainted, unless an ARB application for that color is submitted and approved.
- d. All existing fences that are stained shall remain stained in the approved color. This approved color is a solid wood stain:

Behr DR542, Light Lead that may be purchased at Home Depot.

- e. Maintenance. Each homeowner shall keep all exterior surfaces, including the roof, in good order and repair, in a manner acceptable to the Willow Point Community Association and consistent with a first-quality development. Specifically, but not exclusively, this means that exteriors shall be kept neatly and adequately painted. Cracked, peeling, and/or fading/chalking paint shall be repainted in approved colors, and damaged Dryvit, siding, roofing, trim, soffit, fascia, and gutters shall be repaired or replaced in approved colors. All exterior surfaces, including the roof, driveway and sidewalk shall be kept free of all mold, mildew, and stains and cracks.
- f. Maintenance painting, repairing, and/or replacement in approved colors do not require an ARB application.
- g. Duron, 13771 Warwick Blvd, Newport News, 877-8525, has custom mixes for all Willow Point paint colors, including those listed as Martin Senour and Olympic. Custom color match records for Willow Point is filed in the Kiln Creek Homeowners Office. Martin Senour paint is also available at Home Depot. Other brands of paint may be used, provided the colors are an exact match. All homeowners are entitled to a 10% discount on Duron Paint.

3. Mailboxes

Exhibits 5a, page 34 of the Villages of Kiln Creek Owners Association Architectural standards contains all pertinent information concerning approved mailboxes.

4. Exterior Alterations

Any and all exterior alterations including landscaping must be approved by Kiln Creek Homeowners Association. An application can be obtained by the KCOA. One should be included in the disclosure package.

Approved Color Combinations

Color Combination #	Colors
1	<p>Dryvit - Gull Gray Dryvit Trim – White (Match aluminum trim, not Dryvit) Siding – Pewter Gray Roof – Dove Front Door – Martin Senour Brush-Everard Blue (W74-1158), Duron dark blue 5004 (also Sears 068), Duron High Hiding White, or Duron Regal 5005 Purple (AC136N), Bennette Bright Red. Garage Door – Match Gull Gray Dryvit Side Door – Duron High Hiding White, Match Gull Gray Dryvit, Bennette Bright Red or match front door</p>
2	<p>Dryvit - #111 Priarie Clay Dryvit Trim - #101 Super White Siding – Clay Roof – Weathered Wood Front Door – Martin Senour Market Square Tavern Dark Green (WB85-0620), Martin Senour Brush-Everard Blue (W74-1158), or Duron High Hiding White</p>
3	<p>Dryvit – Sunset Yellow Dryvit Trim – White Siding – Cream Roof – Charcoal Front Door – Martin Senour Burdette Ordinare Black Green (W85-0625), or Duron High Hiding White Garage Door – Match Sunset Yellow Dryvit Side Door – Duron High Hiding White, Match Sunset Yellow Dryvit, or match front door</p>
4 (Custom Color on Golf Course & Lots only)	<p>Dryvit – Feathered Gray (Q.P.) Dryvit Trim – White (to match windows) Siding – Granite Gray (Certainteed Monogram) Roof - Moire Front Door – Duron High Hiding White or Martin Senour Brush Everard Blue (W74-1158), Bennette Bright Red. Garage Door – Match Feathered Grey Dryvit Side Door - Duron High Hiding White, Match Feathered Gray Dryvit, Bennette Bright Red or match front door</p>
5 (Custom Color on Golf Course & Lots only)	<p>Dryvit – Mysty Mauve Dryvit Trim – White (Match aluminum trim, not Dryvit) Siding – True Taupe Roof – Weather Wood Front Door – Match Mysty Mauve Dryvit (Duron Custom color “Dust Storm”), or Duron High Hiding White Garage Door- Match Mysty Mauve Dryvit Side Door – Duron High Hiding White, Match Mysty Mauve Dryvit, or match front door</p>
Colors Common to all homes	<p>Aluminum Trim, Gutters, and Mailboxes – White Painted Trim, Balcony Railings, and Mailbox Posts – Duron High Hiding White Fences – Behr DR542 Light Lead</p>

Color Combinations Approved for Each Home

Willow Point

House #	Lot #	Color	
		Model	Combination
901	1	B	1
902	59	B	2
903	2	A	1
904	58	B	2
905	3	C	3
906	57	B	1
907	4	C	3
908	56	B	1
909	5	B	4
910	55	A	2
911	6	A	4
912	54	A	2
913	7	A	1
914	53	B	1
915	8	A	1
916	52	B	1
917	9	B	2
918	51	A	2
919	10	B	2
920	50	A	2
921	11	A	3
922	49	B	1
923	12	A	3
924	48	B	1
925	13	A	2
926	47	C	3
927	14	A	2
928	46	C	3
929	15	B	3
930	45	A	2
931	16	A	3
932	44	A	2
933	17	A	2
934	43	B	3
935	18	A	2
936	42	B	3
937	19	B	1
938	41	A	1
939	20	A	1
940	40	B	1
941	21	A	2
942	39	B	2
943	22	A	2
944	38	B	2
945	23	B	2
946	37	A(Sgl)	1
947	24	B	2
949	25	B	1
951	26	B	1

Willow Cove

House #	Lot #	Model	Color Combination #
1580	27	B	1
1582	28	B	1
1584	29	B	3
1586	30	B	3
1588	31	B	1
1590	32	B	1
1592	33	B	3
1594	34	B	3
1596	35	B	2
1598	36	B	2
1600	60	B	5
1602	61	B	5
1604	62	C	1
1606	63	C	1
1608	64	B	3
1610	65	B	3
1612	66	B	1
1614	67	B	1
1616	68	A	5
1617	126	B	1
1618	69	A	5
1620	70	B	1
1621	125	B	3
1622	71	A	1
1623	124	A	3
1624	72	A	2
1625	123	A	1
1626	73	A	2
1627	122	A	1
1628	74	B	4
1629	121	B	2
1630	75	B	4
1631	120	B	2
1632	76	A	2
1633	119	B	1
1634	77	A	2
1635	118	B	1
1636	78	B	3
1638	79	B	3

W. Willow Point Place

House #	Lot #	Model	Color Combination #
700	117	C	2
701	100	A	1
702	116	C	2
703	101	A	1
705	102	A	3
706	115	A	1
707	103	A	3
709	104	B	1
710	114	A	1
711	105	B	1
713	106	B	2
714	113	B	2
715	107	B	2
716	112	B	2
717	108	C	1
718	111	A	1
719	109	C	1
720	110	A	1

E. Willow Point Place

House #	Lot #	Model	Color Combination #
800	80	C	2
802	81	C	2
804	82	B	4
806	83	B	4
808	84	A	5
810	85	A	5
811	99	C	1
812	86	A	1
814	87	A	1
815	98	C	1
816	88	A	3
817	97	B	2
818	89	A	3
819	96	B	2
820	90	B	4
821	95	C	1
822	91	B	4
823	94	C	1
824	92	A	5
826	93	A	5