

Prepared by and Return to : **Michael R. Ganley, Attorney, Bagwell Holt Smith P.A.**
111 Cloister Court, Ste. 200, Chapel Hill, NC 27514

STATE OF SOUTH CAROLINA)
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COUNTY OF LEXINGTON) **RULES AND REGULATIONS PURSUANT TO
DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR GREY OAKS
ESTATES**

These Rules and Regulations pursuant to the Declaration of Covenants, Conditions and Restrictions for Grey Oaks Estates (these "Rules and Regulations") are made January 28, 2019, by **Grey Oaks Estates Homeowners Association, Inc.**, a South Carolina non-profit corporation, hereinafter referred to as the "HOA". The HOA states and declares as follows:

A. The HOA was created pursuant to that certain Declaration of Covenants, Conditions and Restrictions for Grey Oaks Estates recorded in Book 16854 Page 167, Lexington County Register of Deeds (as amended and supplemented, the "Declaration").

B. Pursuant to Article IV, Section 3 and Article VIII, Section 1 of the Declaration, the HOA has the right to make and enforce reasonable rules and regulations governing the use of the Property.

C. The Board of Directors of the HOA has voted in favor of the following rules and regulations to apply to all of the Property until such time as they are amended, modified, repealed, or limited pursuant to the powers contained with the Declaration.

D. These Rules and Regulations are being recorded with the Lexington County Register of Deeds pursuant to S.C. Code § 27-30-130(B)(2).

NOW THEREFORE, IT IS RESOLVED, that the following additional rules and regulations are adopted to be applicable to all members of the Association and all Property under the Declaration:

1. Rules and Regulations Regarding Basketball Hoops

- a. These rules and regulations regarding basketball hoops shall replace those rules and regulations regarding basketball hoops of record at Deed Book 20201 Page 114, Lexington County Register of Deeds.
- b. Permanent basketball hoops (including, but not limited to, basketball hoops installed with cement on a Lot), including permanent basketball hoops located on a Lot prior to the effective date of these Rules and Regulations must be submitted to the HOA pursuant to the provisions in Article VII of the Declaration.

- c. Permanent basketball hoops must be located in the rear yard of a Lot.
 - d. Portable basketball hoops may be placed in an Owner's front yard, but only in an inconspicuous location on the Owner's Lot, adjacent to and facing the driveway, and at least six (6) feet back from sidewalks along the public right-of-way. If the Lot is at an angle or hill where basketball play is not feasible, in the sole discretion of the Board of Directors of the HOA, then the basketball hoop may be at the edge of the Lot facing the street and must be on flat surface.
 - e. Portable basketball hoop may not be located on sidewalks, curbs, public rights-of-way, or in the area between the sidewalk and public right-of-way.
 - f. Portable basketball hoops cannot be placed on any part of a driveway located on a Lot.
 - g. No objects can be placed on the portable basketball hoop.
 - h. The reservoir attached to the portable basketball hoop must be used to stabilize the basketball hoop.
 - i. Portable basketball hoops, players, or balls must not be permitted to damage surrounding landscape, structures, vehicles, or signage in common areas or other Owners' Lots.
 - j. Portable basketball hoops may not be positioned to encourage playing on a sidewalk or an adjacent Owners' Lot.
 - k. Portable basketball hoops must be mechanically sound, clean, and well maintained. Owners may not permit portable basketball hoops to become an unsafe or unsightly nuisance.
 - l. Any violations of the above Rules and Regulations will be subject to any and all remedies pursuant to Article XVII of the Declaration, including, but not limited to, removal and disposal of the portable basketball hoop, a fine of up to \$150.00 in the sole discretion of the Board of Directors of the HOA.
2. The Rules and Regulations contained in that Rules and Regulations pursuant to the Declaration of Covenants, Conditions and Restrictions for Grey Oaks Estates of record at Book 20280 Page 266, Lexington County Register of Deeds are hereby deleted in their entirety and are of no further force and effect.
 3. The fence guidelines attached hereto and incorporated herein as Exhibit A are hereby adopted as the guidelines for fences in the Community.
 4. Except as stated herein, all terms and provisions of the Declaration, bylaws of the HOA, rules and regulations of the HOA, and all other governing documents of the HOA (collectively, the "Governing Documents"), remain unmodified. As amended herein, the Governing Documents remains in full force and effect.

IN WITNESS WHEREOF, Grey Oaks Estates Homeowners Association, Inc. has caused this instrument to be executed by its duly authorized President, all by order and authority duly granted by its board of directors, as of the day and year first above written.

**GREY OAKS ESTATES HOMEOWNERS
ASSOCIATION, INC.,**
a South Carolina non-profit corporation

By: Rebecca Griffith, HOA President

Name: Rebecca Griffith, HOA President

Its: 1-28-19

Exhibit A

Grey Oaks HOA, Inc.

FENCE GUIDELINES

Storage Buildings Specifications

Recreational Equipment Guidelines

The Architectural Review Committee is providing the following set of guidelines, which are intended as guidelines only, to assist Owners within the community in determining the appropriate type, size, and location of proposed fences.

All Owners of Lots within the community are strictly required by the Declaration of Protective Covenants ("Declaration") to obtain the prior written consent of the ARC before installing any fence or fence-type barrier of any kind upon a Lot. All applications to the ARC are governed by the Declaration, which provides that no exterior construction, including the installation of fences, shall be made unless plans and specifications showing at least the nature, kind, shape, height, materials, and location shall have been submitted in writing to and approved by the ARC. The ARC is responsible for making the final determination on the installation of all fences, storage buildings and recreational equipment.

- a. No front yard of any Lot shall be fenced.
- b. No chain link fences shall be installed on any Lot. All fences shall be constructed of wood or PVC only. All wood materials shall be of a type generally utilized for the purpose of fence construction (i.e., oak, pressure treated pine, cedar, etc.)
- c. All fencing must be six (6') feet in height.
- d. All wood fences must be the shadowbox style as pictured below.
- e. All wood fences must have a semitransparent stain All fences must be regularly maintained by staining or sealing. No fence shall be allowed to reach a state of disrepair. The homeowner understands and agrees that final approval for a fence is conditioned upon the Owner properly maintaining that fence and the Owner agrees to comply with future requests of Directors to do so.
- f. All fences must be installed on or within the boundaries of lots so as to conform to all governmental setback and other regulations, if any, as well as any requirements of the Declaration or the recorded Plats. Maintenance of the exterior face of fences should be considered by Owners when determining the precise location of the fence within the property lines.
- g. No fence shall be installed forward more than the rear corners of a home. No variance will be granted to allow access to a side door, enclose an air conditioning condenser unit, or similar items.
- h. Any boundary dispute shall be resolved between the disputing Owners and shall not be the responsibility of the ARC or the Association.

1. Corner lots are a special situation. Corner lots are considered to have two front yards, therefore front yard rules apply to the yard adjacent to both adjacent streets on corner lots. As a general rule, fences are not allowed in front yards due to fence construction being prohibited forward of the rear corners of the house. However, consideration may be given by the ARC to the back yard fenced area yielded after rear corners are used and whether the house is situated square with the streets or diagonally placed. The ARC may also consider which street the house faces for address purposes and what appearance results from the other street side. In any event, the fence should be no closer to the side street than the building setback line required by the development plans of the subdivision.

The approval by the ARC of any fence installation shall in no way constitute a waiver of the ARC's right to withhold approval of similar proposals later submitted to the ARC, and the ARC retains the right to disapprove of any fence application for any reason, including, but not limited to, aesthetic considerations, uniformity of appearance in the community, visibility limitations, safety concerns, and impact on adjacent properties. Any previously constructed or approved fences as of January 1, 2019 will not be subject to the revised guidelines.

THE FOREGOING FENCE GUIDELINES ARE INTENDED AS GUIDELINES ONLY AND ARE MERELY FOR THE CONVENIENCE OF OWNERS. ALL OWNERS MUST OBTAIN THE PRIOR WRITTEN APPROVAL OF THE AAC BEFORE INSTALLING ANY FENCE UPON A LOT as well as a building permit if required.

The fence pictured below is an example of the type of fencing that would be approved.

Storage Buildings

All storage buildings must be wooden and must be painted the same color as the trim on the home. The roof shingles on the storage building must match as close as possible the roof shingles on the home. The rear yard of the home must be fenced before a storage building will be approved.

Recreational Equipment

- Trampolines will only be approved by the ARC to be placed inside a fenced rear yard.
- Play sets are allowed but must be approved by the ARC.

