

**Guidelines
For
Community Living**

**Victory Pointe
Homeowners
Association, Inc.**

Revised June 23, 2009

**Managed by Community Management Group
843-795-8484**

Dear Property Owner,

Welcome to Victory Pointe Homeowner's Association, Inc. Your purchase of property at Victory Pointe made you a member of the Association. As you have been informed during the process of buying your home, life within Victory Pointe is governed by Covenants, Rules and Regulations.

These guidelines are intended to call out some of the more important Rules and Regulations and make your life enjoyable.

Time and care have been taken to ensure that no Guideline conflicts with the Covenants. However, should an unintentional conflict arise, the Covenants take precedence and it is for this reason that a careful review of all Covenants is appropriate for all owners.

These Guidelines and associated rules are subject to change from time to time. Enforcement of these guidelines will begin two (2) weeks after receipt of the documents.

Community Management Group is the management company employed by Victory Pointe to manage the affairs of the Association and to serve as the primary communications hub for Victory Pointe Homeowner's Association, Inc.

Our office is located at 349 Folly Road, Suite 2B, Charleston, SC. The office hours are Monday through Friday, 8:30 until 5 P.M. We invite you to stop in anytime. All Association correspondence should be directed to Community Management Group at:

Victory Pointe Homeowner's Association, Inc.
349 Folly Rd., Ste 2B
Charleston, SC 29412

Community Management Group can be reached at 843-795-8484, and via their website at www.CMGCharleston.com. Owners are encouraged to visit the site where important document revisions can be downloaded, your contact information can be updated and important communications shared.

The Association concept is founded on communication. Please make this easy and inexpensive for Victory Pointe by registering your e-mail address with your manager.

Thank you, and again welcome to Victory Pointe...

-Community Management Group

Guests

If you have guests, it is your responsibility to make sure that these guests abide by the community guidelines. If a guest breaks any of the rules and regulations, the Association can take action against you as if you had committed the violation yourself. One of the most important issues for residents is to make sure that their guests are respectful of not only rules and regulations, but of community residents in general

Residential Use

All residences shall be used for private residential purposes exclusively.

Firearms and Fireworks

The display or discharge of firearms or fireworks on the Common Elements is prohibited; provided, however, that the display of lawful firearms on the Common Elements is permitted for the limited purpose of transporting the firearms across the Common Elements to or from the Owner's residence. The term "firearms" includes "B-B" guns, pellet guns and other firearms of all types, regardless of size.

Outside Burning

There shall be no exterior fires.

Storage

All other personal property of an Owner shall be stored in their respective Residential Lot. No structures of a temporary character, trailers, sheds, tents, shacks, barns or other outbuildings shall be erected by any owner or occupant on any portion of the Common Area.

Completion of Construction

The Architectural Control Committee shall have the right to take appropriate Court action, whether at law or in equity, to compel the immediate completion of any building or structure not completed within one (1) year from the date of commencement of construction and six (6) months on the completion of the exterior.

Walls and Fences

Unless approved by the Architectural Control Committee, no fence or wall shall be erected, placed or altered. Retaining walls will be of masonry construction and shall not rise above the finished grade elevation of the earth embankment. Fences are not encouraged and will be limited to the rear of the main dwelling, shall never enclose the entire rear yard or side yard adjacent to any street, shall never be on the rear Lot line adjoining any lagoon and shall be of such design, location and construction with materials as approved by the Architectural Control Committee. Fences will not to exceed forty-eight inches (48") in height unless a greater height is required by a zoning ordinance. No chain link fences are allowed.

Garbage & Refuse Disposal

No Lot shall be used or maintained as a dumping ground for rubbish or unused vehicles. Trash, garbage or other waste shall not be kept except in sanitary containers. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. If such litter or other materials is found on any Lot, the same will be removed by the Owner of such Lot at the Owner's expense, upon written request of the Architectural Control Committee. Garbage cans, trash containers, boxes, bags and other trash or debris shall not be placed on the street until the morning of pick-up and all empty containers shall be removed by 6 PM on the date of pick-up.

Antennas & Satellite Dishes

No radio or television transmission or reception towers or satellite dishes or antennas shall be erected on any Lot unless specifically approved by the Architectural Control Committee. Small satellite dishes having a diameter of less than twenty-four (24") inches shall be approved by the Architectural Control Committee so long as the satellite dish is screened from view from the street. In no event shall free standing transmission or receiving towers be permitted.

Trailers, Trucks, School Buses, Boats, Boat Trailers

No house trailers or mobile homes, campers or other habitable motor vehicles of any kind, school buses, motorcycles, trucks or commercial vehicles over one (1) ton capacity, boats or boat trailers shall be kept, stored or parked overnight either on any street or on any Lot, except within enclosed garages, or screened from view from the street(s) as approved by the Architectural Control Committee.

Driveways, Entrance to Garage & Parking Areas

All driveways, parking areas and entrances to garages shall be of a substance approved in writing by the Architectural Control Committee and of a uniform quality. There shall be no overnight parking on the street or on the lawns. No unlicensed vehicle shall be parked or maintained upon any driveway, street, lawn or parking area. All vehicles must have current/valid registration.

Additional Requirements for Lots Fronting on Any Buffer Area, Lake, Lagoon, Canal, Drainage Easement or Waterway

Lots bordering any buffer area, lake, lagoon, canal drainage easement or waterway, shall be subject to the following additional restrictions:

- a) The Owner shall maintain the buffer area and mow the area between the edge of any lake and all areas not covered by water, even though the same may be reserved as a part of the lake, lagoon, canal, drainage easement or waterway.
- b) No power boats shall be permitted on any lake, canal, drainage easement or waterway. This restriction shall not apply to a waterway that is navigable and is accessible to a public navigable waterway.
- c) No filling of any lake, lagoon, canal, drainage easement or waterway shall be permitted and no waste, garbage or wastewater are to be discharged, dumped

or otherwise placed in any lake, canal, drainage easement or waterway from any Lot.

Noises

No Owner, his family, servants, employees, agents, visitors, guests, invitees, tenants or lessees shall make or permit any disturbing noises in the Common or Limited Common Areas of his/her Residence. Nor shall any such person do or permit to be done anything that will interfere with the rights, comfort or convenience of the remaining Owners or occupants. No Owner or occupant shall play any musical instrument, phonograph, radio, television, or sound amplifier in such a manner or volume so as to disturb or annoy any other Resident. Notwithstanding anything to the contrary, no Owner or Occupant of a Residence may use or allow the use of the Common Elements or the Limited Common Elements in any manner which creates noises between the hours of 11:00 p.m. and 7:30 a.m. which can be heard by persons in another Residence that will, in the sole discretion of the Board, interfere with the rights, comfort, or convenience of the other Owner(s) or Occupant(s).

Livestock

No animals, livestock or poultry of any kind shall be raised, bred or kept on any Lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purposes. Such household pets must not constitute a nuisance or cause unsanitary conditions. Such household pets shall be maintained upon the Owner's Lot and it shall be considered a nuisance if such pet is allowed to go upon another Owner's Lot or to be upon the streets or other Common Areas unless under leash or carried by the Owner. Owners must pick up after their pets at all times.

Advertising

No signs advertising "for sale" or "for rent" or billboards shall be erected on any Lot or displayed to the public on any Lot. This restriction shall not apply to signs used to identify and advertise the subdivision as a whole or a particular section within the subdivision. All signs during the construction and development period shall be subject to approval by the Architectural Control Committee. Also, the provisions of this Section shall not apply to anyone who becomes the Owner of any Lot as purchaser at a judicial or foreclosure sale conducted with respect to a first mortgage or as transferee pursuant to any proceeding in lieu thereof.

Hazards

Nothing shall be done or maintained in any Lot or upon any Common Area or Limited Common Area which will increase the rate of insurance on any Lot or the Common Areas or Limited Common Areas, or result in the cancellation thereof, without the prior written approval of the Board of Directors. Nothing shall be done or maintained in any Lot which would be in violation of any law.

Commercial Activities

No Lot or Common Area or Limited Common Area shall be used for commercial

activities of any charter except home occupations as defined in the Residential Use section.

Use of Common Areas

Each Owner, tenant or occupant of a Lot may use the Common Areas for the purpose for which they are intended, without hindering or encroaching upon the lawful rights of the other Owners, tenants or occupants.

Abandoned Personal Property

Abandoned or discarded personal property, other than an automobile is prohibited from being stored, kept or allowed to remain for a period of more than twenty-four (24) hours upon any portion of the Common Elements or Limited Common Elements without the prior written permission of the Board. If the Board or its designee, in its sole discretion, determines that property is being kept, stored or allowed to remain on the Common or Limited Common Elements in violation, then the Board may remove and either discard or store the personal property in a location which the Board may determine.

Prior to taking such action the Board shall place a notice on the personal property and/or on the front door of the Owner's property, if known, specifying the nature of the violation and stating that after two (2) days the property may be removed and either discarded or stored. The notice shall include the name and telephone number of the Person or entity which will remove the property and the name and telephone number of a Person to contact regarding the alleged violation.

The Board, in its discretion, may determine that an emergency situation exists, and the personal property abandoned or stored in violation of this subparagraph may, without prior notice to the owner or user of the personal property, be removed and either discarded or stored by the Board in a location in which the Board may determine; provided the Board shall give to the owner, if known, notice of the removal of the property and the location of the personal property within three (3) days after the personal property is removed.

If the personal property is removed in accordance with this subparagraph, neither the Association nor any officer or agent of the Association shall be liable to any person for any claim of damage resulting from the removal activity or subsequent disposition thereof.

Unsightly or Unkempt Conditions

The pursuit of hobbies or other activities, which might tend to cause disorderly, unsightly or unkempt conditions, shall not be pursued or undertaken on any part of the Property. Clothing, bedding, rugs, mops, appliances, indoor furniture and other household items shall not be placed or stored outside the Lot.

Garage Sales

Garage sales, yard sales, flea markets or similar activities are prohibited unless and to the extent conducted under the auspices of the Association.

Covenants Enforcement

Victory Pointe Homeowner's Association is obligated to enforce or cause to be enforced the requirements of the Covenants Conditions and Restrictions for the Association, these rules and other rules which may be adopted and/or published from time to time.

Enforcement actions will include notification by letter to the address of record for the owner. Sanctions will include fines of \$25 to \$300 per infraction, and may be imposed with or without prior notice of the infraction. Fines will be imposed against the owner's account and collected as an Assessment. Subsequent action may include legal action and correction of the violation by the Association, the cost of which is charged to and payable by the property owner.

Assessment Collections

Payment of Assessments is required for Victory Pointe Homeowner's Association to operate and provide services to the members. Collection policies provide for collection of late fees, interest, administrative fees and legal fees. Prompt payment of Association billings is required of owners.

Rules and Regulations

The Board of Directors will be entitled to promulgate reasonable rules and Regulations from time to time, which will be binding on the Association and all Owners and lessees of Owners, their families, invitees and guests, regarding the use and enjoyment of Lots and Common Area. Copies of the current Rules and Regulations will be furnished to Owners and lessees of Owners.

Violation Letter and Compliance Process

The Board of Directors will institute a Covenants Violation Inspection Policy based on these guidelines that the management company will follow for weekly inspections. If an occurrence is noted the following compliance procedure will be followed:

- 1) A courtesy letter will be sent to the owner allowing seven (7) days to correct the noted occurrence observed. Upon the next infraction/week a second courtesy letter will be sent to the owner allowing an additional seven (7) days to correct the noted violation.
- 2) If the original occurrence is not corrected by the third week/infraction the owner will be sent a letter that will include a \$25 fine and a specific date to correct the issue.
- 3) On the fourth week/infraction the fine will increase to \$50.
- 4) On each week/infraction thereafter until the seventh visit, the fines will double. On the seventh week/infraction if the violation still exists, a claim will be filed in Small Claims Court regarding the matter. Any court costs will assessed to the owner's account. Owners are allowed seven (7) days between inspections to correct the violation.

Please be aware that each fine added to a homeowner's account is collectible as an assessment. Any unpaid balance will be subject to administrative and delinquent fees/interest based on the Collection Policy for Victory Pointe Homeowner's Association.

Any violation of any of these preceding restrictions shall be sufficient to bring judicial action against the violator. Action can be filed by the Board of Directors on behalf of the Owners and the Board shall have the powers and duties as are set forth in the Master Deed and Bylaw for the Association.