

RULES AND REGULATIONS OF HEARTHSTONE AT WOODFIELD

*Our goal is to maintain a clean and aesthetically pleasing environment.
Each Lot Owner deserves such and pays monthly to obtain it
and it is each Lot Owner's responsibility to comply with these Rules
and Regulations in an effort to do their part for the Community.
(Use Restrictions-5)*

The following rules were extracted from the Public Offering Statement ("POS"). There are three sections which contain these rules: Restrictions on Occupancy of All Units; Declaration, Use Restriction and Maintenance Obligations; Rules and Regulations. We have tried in this document to consolidate and simplify the presentation of these rules for your convenience, and to make them more user friendly.

The purpose of these guidelines is to preserve and protect the original aesthetic character and environment of the community. To accomplish this, all exterior additions, modifications or alterations shall conform in style, color and material to the original home and landscaping design. No building, wall or other structure or improvement including landscaping or plantings (except annual plantings), patios and decks, or any exterior addition or alteration to the Unit which changes the external appearance of the unit shall be commenced, erected, installed or maintained upon the Unit before the Unit Owner submits to the Executive Board an application requesting the Executive Board's review and approval of such improvement addition, or alteration. (*Section 16.01 Regulated Activities*) At Hearthstone at Woodfield, the Executive Board has asked the Architectural Review Board ("ARB") to review and determine the acceptability of requests.

The Association, through the Executive Board, has the authority to make Rules and Regulations and restrictions governing the use of Units in addition to those contained herein. (*Declaration Section 15.01*)

Application / Request for Improvement

Any exterior modification of a homeowner's property must be approved by the Executive Board, or the ARB on behalf of the Executive Board, before work begins.

A proposal describing the planned modification must be submitted in writing, using the application form provided by the ARB. Copies can be obtained from the business office of the Hearthstone at Woodfield Homeowners' Association or the Clubhouse.

The proposal must contain a description of the project, including all dimensions, shape, material, color and location. A copy of the homeowners' site plan, showing the position

of the proposed alteration, must accompany the application. Photographs or sketches will facilitate the review process.

Each proposed modification must be specifically approved, even though the modification conforms to the Declaration of Covenants and Restrictions, and even when a similar or substantially identical modification has been previously approved by the ARB.

Certain alterations may require additional approval by the Borough of Pemberton. Such approval must be received before any work is undertaken. Approval by the ARB does not waive the necessity of obtaining the Borough permit, nor does obtaining a Borough permit waive the need for ARB approval.

The ARB shall use reasonable efforts to respond within thirty (30) days to all architectural requests. The ARB can respond to architectural requests verbally and/or in writing. If special circumstances require additional time, the applicant will be notified, in writing, including the reason for the delay. If a proposal is rejected, the ARB will state the reasons of disapproval.

The applicant may appeal ARB decisions directly to the Executive Board, and if further appeal is desired, then to the Alternative Dispute Committee ("ADC").

The ARB will insure copies of all homeowner applications and ARB decisions are maintained by number and street address. In addition, there will be a cross index which groups applications by type for future reference. Such a file will be available, upon request, to any homeowner.

ARB approval does not relieve the applicant from obtaining the proper permits and inspections as required by the Borough of Pemberton. Homeowners should seek guidance of the Borough of Pemberton regarding the need for permits and/or inspections.

Automobile Repairs

It is prohibited to use any Lot or any part of the Property for automobile repair or work of any kind. It is further prohibited to maintain on any Lot or any part of the Property any automobile that is not operable, roadworthy or lawfully registered. (*Use Restrictions-2*)

Antique/ hobbyist cars are permitted but must be stored in the garage.

Repairs, including oil changes, are permitted within the confines of the garage to prevent unsightly soiling of the driveway.

Antennae /Satellite Dishes

Require ARB approval.

Awnings

Only rear deck awnings are permitted and only under the following conditions. The awnings are to be kept clean and in good repair by the Lot Owner. *(Rules and Regulations-1)*

Awnings can be no larger than the depth and width of the deck or patio it covers and must be of fabric in a solid color, matching the siding or house trim. Awnings must be retractable arm, roll-up type; no pipes, post or guide wires. When there is no overhang to hide the retractable-arm awning, it must retract into an optional hood supplied by the manufacturer. A sample of the fabric and installation plans for the awning must accompany the application to the ARB before approval can be considered. Awnings which are already in place as of the writing of these updated Rules and Regulations and have received ARB approval, need not be replaced at this time, but must meet ARB guidelines at the time of replacement.

“A retractable awning or canopy may be permitted to be installed above a deck to provide cover, provided that the awning or canopy is retractable and does not extend beyond the footprint of the deck. No other type of canopy or awning shall be permitted to cover a deck.” *(Pemberton Borough Code)*

Birdhouses and Birdfeeders

Birdhouses and birdfeeders are permitted in the back yard in a mulched bed.

Canopies or Tents

Canopies or tents are permitted in the rear or side yard for specific events and must be disassembled within 48 hours after the event. *(Use Restrictions-3)*

Carports

Carports are not permitted.

Clotheslines

No clothing or bedding or other similar items shall be dried or aired in any outdoor area, including private yards and decks. No Lot Owner shall install poles and/or lines for the drying of laundry nor shall any Lot Owner dry laundry outside of his home. *(Use Restrictions-4)*

Common Areas

Nothing shall be built, caused to be built or done in or to any part of the Property which will alter or cause any alteration to the Common Elements without the prior written approval of the Executive Board. Unit Owners or occupants of any Unit may not obstruct the Common Elements in any way, including, but not limited to, interfering with the storm water management facilities. Unit Owners or occupants may not store

anything in or on the Common Elements without the prior written approval of the Executive Board. (*Declaration Section 15.01-b and e*)

Complaints/Remedies

Complaints regarding the management of the Association property, repairs to the common elements, or concerning actions of any other Lot Owners shall be made in writing to the Association through the managing agent. The name of the Lot Owner(s) responsible for the alleged violation shall be kept confidential until the violation has been established. In all cases, the name of the complainant shall be kept confidential.

Corner Lots

For corner properties, the side nearest to the street is considered part of the frontage.

Decks

Decks, steps, and railings must be of pressure treated wood, composite or vinyl, the color must blend with/be compatible with the house and trim color. Decks must comply with all building codes as directed by Pemberton Borough. Neither a deck nor its steps are permitted to extend beyond the sides of the house.

Lattice is permitted under a deck which is lower than 48 inches from the ground. It must be of the same material and color as the decking. Permanent structures such as gazebos, tents, canopies, pergolas or sheds are not permitted on decks or patios. Privacy fences are not permitted on a deck or patio.

Doors

Replacement front doors must be a similar style and the same color as the original front door.

Driveways

Driveway modifications are under legal review at this time.

Fences

No fences, except underground fences or fences installed by the Declarant or the Builder, shall be permitted. (*Declaration Section 15.01-l*)

Fireplaces/Firewood

All aftermarket fireplaces must be approved by the ARB. All firewood must be neatly stacked and placed to the rear of the house only. No more than one cord may be stored on any lot at any time.

Flagpoles

A single flag mounting wall bracket may be attached to the dwelling. The only flag permitted is the American flag. *(Rules and Regulations-2)*

Garbage and Refuse Disposal

No Lot shall be used or maintained as a dumping ground for rubbish or any type of waste, including garden waste. Trash, garbage or other waste shall be kept in trash cans or heavy duty plastic bags waiting disposal. Trash, leaves and other similar material shall not be burned. Trash service for each unit is provided by the Borough of Pemberton. It is requested that trash and recycling containers not be placed on the curb until after dusk on the night before collection and be taken in by the end of the day of collection and stored in the garage. *(POS Restrictions on Occupancy-X)*

The storage or collection of rubbish of any kind; any materials that emit foul or obnoxious odors; the growing of any noxious weed or other natural substance; and the harboring of the source of any noise or activity which unreasonably disturbs the peace, comfort or serenity of other Lot Owners is prohibited. *(Use Restrictions-6)*

Inspections

The management company, at the direction of the Executive Board, shall periodically survey the properties for compliance with architectural standards. The management company shall send written notice describing to the Lot Owner the violation, instructing them to correct the violation or respond within a maximum of ten (10) days. If a violation is not corrected within the amount of days detailed in the letter, or if the Lot Owner shall not contact the management company concerning the violation, the management company will proceed further with the enforcement procedures. *(Rules and Regulations-F)*

In the event an owner of any property shall fail to maintain the exterior of the premises and the improvements situated on said property (including landscaping), the Association, after adequate notice to the owner as provided in the Bylaws and approval by majority vote of the Executive Board, shall have the right through its agent(s) to repair and restore the Exterior of the property to a standard appropriate to the community. All costs related to such repair or restoration shall become a special assessment upon that property, and shall be regarded as any other assessment with respect to lien rights of the Association. *(Declaration Section 15.01-g)*

For further detail of procedures, fines and penalties, etc., please see the Public Offering Statement.

Landscaping and Planting

Weeding, leaf clearing, tree maintenance, gutter cleaning and general maintenance is the responsibility of the homeowner. No weeds, vegetation, rubbish, debris, trash or other waste material shall be placed or be permitted to accumulate on any property.

Gravel/stone is NOT permitted as a replacement for mulch/grass in the mulch bed or grass area; the lawn areas must remain as natural grass. Gravel/stone may be used as a drainage aid around downspouts in the mulched area and around the A/C unit, from the home's foundation to the A/C unit and extending to a maximum of 12 inches around the A/C unit or downspout.

Raised edging around planting areas must be of natural material (stone, brick, etc.) and shall not exceed six (6) inches in height above the highest point on the lot (which is the lowest point of the wall). Edging must match or complement the color of the house. Buried black or brown plastic edging is permitted around mulched areas.

Trees in the front yard may be replaced with resident's choice of Red Maple, Little Leaf Linden, Thornless Honey Locust or London Plane Tree.

Vegetable gardens are permitted in a mulched bed, in the rear yard only.

Potted plants are not permitted on any walkway.

Lot Owners are responsible for verifying locations of all underground utilities and existing easements and bear total responsibility for any and all service interruptions directly attributable to work performed on their property. *(Rules and Regulations-4)*

Lighting

Any exterior lighting not installed by the Declarant or the Builder shall (i) be subject to the prior written approval of the Executive Board, (ii) be in compliance with any specifications published by the Association for exterior lighting in the Community and (iii) be in compliance with all applicable Borough ordinances. No exterior lighting shall be permitted to be installed by an Owner on any Unit (including a dwelling located on a Unit) in a manner which disturbs any residents in the surrounding Units, as reasonably determined by the Executive Board. *(POS Restrictions on Occupancy-Z) (Declaration Section 15.01-n)*

Exterior front lighting fixtures may be replaced in the same color (black), carriage style and approximate size as the original fixtures. All front fixtures must be identical. An application with a photograph must be submitted to the ARB for approval prior to making the change. At the time the owner of a home fitted with light fixtures other than black wishes to replace exterior fixtures, the replacement fixtures must be black.

Mailboxes

It is the responsibility of the homeowner to maintain their mailbox and post in good condition. No additional posts or attachments are allowed for containers to receive newspapers, magazines, etc.

Small plants are permitted around the bottom of posts. Plants are permitted to hang from the mailbox or post if kept healthy and trimmed. Mailbox covers are permitted.

The only signage permitted to be placed on the mail post are signs advising of underground dog fencing and home security systems. These signs are to be placed 12 inches from the ground.

At the time of this writing, the ARB is looking into possibilities for replacement mailboxes and posts.

Maintenance Obligations

Homeowners are required to maintain the Exterior of their properties to preserve the overall appearance of the community consistent with acceptable community standards. Each Unit shall be maintained by its Owner or occupant in a neat and well appearing, safe, clean and sanitary manner and condition, in good order and repair and in accordance with all applicable restrictions, conditions, ordinances, codes and any Rules or Regulations which may be applicable hereunder or under law. *(Declaration Section 15.01-c, k, r)*

The existing paint colors on each dwelling shall be maintained to insure the architectural color harmony with adjoining dwellings and the entire community, unless otherwise approved by the Executive Board. *(Declaration Section 15.01-p)*

Motor Vehicles

The speed limit through Hearthstone at Woodfield is 25 MPH. This speed limit and all stop signs must be observed.

The overnight parking or storage of trucks or any other commercial vehicles, including vehicles with commercial signs affixed thereon is prohibited, except in an enclosed garage. The parking or storage of any recreational vehicles, including but not limited to camping vehicles, boats, boat trailers and other trailers upon a Lot is prohibited, except in an enclosed garage. *(Use Restrictions-8)*

The garage of each Unit shall be used by the Unit Owner for the storage of each Unit Owner's passenger vehicles. No garage may be converted to living space. Each Unit Owner shall keep their garage free from excessive storage materials so that it is available for the housing of the Unit Owner's passenger vehicles. The Unit Owners are encouraged to keep their vehicles off the roadway, house their vehicles in their garages and keep their garage doors closed as much as possible. *(Declaration Section 15.01-h)*

On-street parking is prohibited during times of snow removal so that plows are able to clean our streets efficiently and thoroughly.

Mulched Beds

Mulched beds are defined as a planting area around the perimeter of the house, extending from the foundation or edge of a deck or patio.

Only natural mulch may be used. Stones, rocks are not permitted except for drainage purposes as previously stated under "Landscaping."

In the side yard, mulched areas are not to extend more than three (3) feet from the foundation.

Nuisances

Be considerate of your neighbors— turn down televisions, radios and stereos between the hours of 10:00 p.m. and 7:00 a.m. and/or close your windows to keep the sounds from disturbing others.

No Lot Owner shall make or permit any noises, soot, odor or vibrations that will unreasonably disturb or annoy the occupants or any of the other Dwellings. Nor shall a Lot Owner permit anything to be done that will unreasonably interfere with the rights, comfort, or convenience of other Lot Owners. (*Declaration Section 15.01-d*)

No Lot Owner, contractor or workman employed by any Lot Owner shall be permitted to do any work in or upon any home (except for emergency repairs) between the hours of 7:00 p.m. and 8:00 a.m., if such work is likely to disturb the occupants of any other home. (*Use Restrictions-7*)

No resident will continue to operate an externally audible alarm system that malfunctions, emits false alarms and disturbs the peace of the Community. (*Use Restrictions-1*)

Outdoor Holiday Lighting and Decorations

Decorations that prove to be a nuisance produce excessive glare or noise or endanger the health and welfare of the community, visitors or residents are not permitted. Outdoor holiday lights associated with Christmas, Hanukah, etc. shall not be installed and illuminated before Thanksgiving and must be turned off completely and removed by January 15th, weather permitting. Other holiday decorations associated with Halloween, Valentine's Day, etc. should be displayed for no longer than thirty consecutive days. (*Rules and Regulations-3*)

Pets

No animals, livestock, pigeons or poultry of any kind shall be raised, bred or kept on any Lot or in any Lot with the exception of dogs, cats or other common household pets (no exotic animals) provided that they are not kept, bred or maintained for any commercial purpose. No more than two common household pets will be allowed in any one Lot. Animals shall not be housed outside of any Lot. When outside, animals shall be leashed and the Lot Owner shall be responsible for cleanup. Pets shall not be left unattended outside for any reason. Dog owners will be responsible for keeping their pets from barking unnecessarily and disturbing their neighbors.

Dogs and cats must be licensed by the Borough of Pemberton.

When walking your dogs, please, in consideration of your neighbors' lawns, curb them and clean up after them. (*Use Restrictions-10*) This is a Borough ordinance and subject to fine.

Railings

Railings on the front porch steps must be white, beige, or black, and made of wrought iron or vinyl.

Regrading

Except for Declarant or Builder, no Lot Owner, guest, lessee, resident, occupant, invitee, etc., shall commence any digging or earth moving or regrading operations of any nature without first obtaining permission from the Executive Board. This is intended as protection against inadvertent disruption of surface drainage, underground services and creation of a nuisance to other Lot Owners.

Retaining walls and grading alterations which change the contour of the earth and/or water drainage patterns must be submitted to the Executive Board, with complete details including sketches, for approval.

No modification to any drainage swales constructed by the Declarant, the Builder, or the Association, whether located on the Common Elements or a Unit, shall be permitted without the written permission of the Declarant (if the Declarant still owns any Units), the Builder (if the Builder still owns any Units), the Association (if the Declarant and the Builder do not own any Units) and the Borough. (*Declaration Section 15.01-m*)

Screen/Storm Doors

Screen/storm doors shall match the color of the front door or the house trim and must be full view style that may contain etched glass. The door may contain a support bar across the middle of the same color as the front door.

Signs

Signs advertising a lot or property for sale may be placed inside a window provided it does not exceed thirty (30) inches by forty-eight (48) inches overall and is not lighted. "For Sale" signs are not permitted outside the building. Contractor signs are not permitted.

Solar Lights

Solar lights are permitted in the service walk mulch bed only. They must be 15 inches or less in height, of traditional style, consistent in color, and all identical. Novelty lights are not permitted. Solar lights are not permitted to line the driveway.

Statues, etc.

No statues, lawn ornaments, sculptures, decorative flags, banners or signs, birdbaths, water features, or similar objects may be affixed or placed in front or side private yards, from the curb to the house, without the express approval of the Executive Board. (*Rules and Regulations-5*)

Shepherd hooks (no more than 2) displaying hanging plants are permitted in mulch beds during the summer season but must be removed and stored by November 1.

Planters are permitted on either side of porch stairs.

Wreathes are permitted on front doors but not on windows except as holiday decorations. Artificial flowers or plants are permitted only on front door wreathes.

Garden supplies and equipment must be stored in the garage or basement - not on front or back porches, decks, patios, driveways or lawns.

Ornaments on roofs are permitted only as holiday decorations.

Structures on Lot

No tents, storage tanks or accessory buildings or structures shall be erected or permitted to remain on a Unit. (*Declaration Section 15.01-j*)

“No sheds or other ancillary structures shall be allowed.” (*Pemberton Borough Code*)

No detached structures of any kind, i.e., sheds, plastic tool or storage boxes (with the exception of cushion storage benches) are permitted on any Lot. Neither shall tools, wheelbarrows or other yard equipment be stored anywhere on a Lot. These must be stored in the garage, basement or crawlspace.

Grills and outdoor furniture are permitted to remain on a patio or deck year round in a neat/organized manner. No other storage of furniture or appliances is permitted on any Lot.

Swimming Pools

No swimming pools shall be erected or installed on any Unit. (*Declaration Section 15.01-l*)
Hot tubs are not permitted.

Windows

Exterior security window guards are not permitted.

Use Restrictions

Each Unit shall be used for residential purposes only; provided, however, home occupations carried on in the Unit are permitted only if (i) such use is incidental to the Units primary residential use; (ii) such use does not violate any other restrictions applicable to Units; (iii) no employees, customers or clients visit the Unit; and (iv) the Unit Owner shall obtain prior approval from the Borough. *(Declaration Section 15.01-(a))*

Except as permitted in Section 15.01(a), no commercial, industrial or professional activity as defined in the Borough Zoning Code shall be pursued on or in any Unit at any time. If zoning regulations change to expand the scope of activities that Unit Owners may pursue lawfully within the Unit, a Unit Owner may apply to the Executive Board for approval to commence the permitted use of his Unit. Each application shall be considered by the Executive Board on an individual basis. Once the Executive Board has given its approval to a particular use of a Unit, it may not revoke the approval as long as the nature and scope of the approved use remains unchanged. No Unit Owner shall permit its Unit to be used or occupied for any prohibited purpose. *(Declaration Section 15.01-f)*

No unit may be used as a temporary shelter or halfway house.

* * *

It is hoped and anticipated that all Lot Owners will comply with the Rules and Regulations as they are outlined in this document, since they are intended to preserve the character of the community and the property values of each Owner.

Each Lot Owner shall be charged with the responsibility of directing his tenant(s), guests and invitees to comply with the Association's Declaration, Bylaws and these Rules and Regulations. *(Use Restrictions-9)*

These Rules and Regulations supercede all previous versions.

Attachment: Application for Exterior Change

AMENDMENTS TO RULES AND REGULATIONS
HEARTHSTONE AT WOODFIELD

The following language replaces that under the heading Decks on page 4 of the Rules and Regulations which were approved by the Executive Board on October 13, 2008.

Decks

Decks, steps and railings must be of pressure treated wood, composite or vinyl; the color must blend with/be compatible with the house and trim color. Decks must comply with all building codes as directed by Pemberton Borough. Neither a deck or its steps are permitted to extend beyond the sides of the house.

Lattice work is permitted under any first floor deck which is 6 feet or less in height from ground level. Lattice is not to exceed 6 feet in height and must extend from ground level to the decking floor and no higher. Permanent structures such as gazebos, tents, canopies, pergolas, sheds or privacy fences are not permitted on decks or patios.

Approved by Executive Board: Aug. 10, 2009

The following language should be added to that under the heading Landscaping and Planting as the first paragraph on page 5 of the Rules and Regulations approved by the Executive Board on October 13, 2008.

Landscaping and Planting

Planting areas may be redesigned at homeowner's discretion with ARB approval.

Approved by Executive Board: Aug. 10, 2009

*The following language should be **deleted** from page 6:*

Potted plants are not permitted on any walkway.

Approved by Executive Board: Aug. 10, 2009

The following language replaces that under the heading Mailboxes on page 6 and 7 of the Rules and Regulations which were approved by the Executive Board on October 13, 2008.

Mailboxes

It is the responsibility of the homeowner to maintain their mailbox and post in good condition.

A replacement mailbox box must be:

- the same style as original;
- the same approximate size ($19\frac{1}{8} \times 8\frac{3}{4} \times 6\frac{1}{4}$) as the original;
- plain black metal with no contrasting trim, and
- meet all current US Post Office regulations.
- Mailbox covers are permitted.

A replacement post must be:

- in the original location;
- the same style as the original;
- natural wood construction and color.
- Hanging flower pouches or baskets are permitted to hang from the post if kept healthy and trimmed. Baskets/pots are not permitted to hang over box or sit on post.
- Newspaper box and/or flower box or flower pot attachments are not permitted.
- The only signage permitted to be placed on the post are signs advising of underground dog fencing and a home security system. These are to be placed 12 inches from the ground.

ARB approval is required - the application must include a picture of the post and mailbox.

Approved by Executive Board: Aug. 10, 2009

The following language replaces that under the heading Statues, etc. on page 10 of the Rules and Regulations approved by the Executive Board on October 13, 2008.

Statues, etc.

Front mulch bed: The following items may be placed in the front mulch bed for a maximum total of 3 items:

- Solar lights (maximum 9 lights permitted; equal to 1 item),
- Stepping stones (maximum 3; equal to 1 item),
- Shepherd's hooks (maximum 2; each shepherd's hook is equal to 1 item),
- Decorative flags (maximum 1; equal to 1 item);

See guidelines under individual listings for solar lights and shepherd's hooks.

Not permitted in front beds: artificial flowers, bird baths, bird feeders, bird houses, gazing balls, plastic items of any kind, potted plants, statuary/lawn ornaments, water features.

Side mulch bed: If the side yard is exposed to a street it is considered part of the front yard and any mulch bed will be allowed to contain 3 additional of the above-listed items, with the exception of solar lights (not permitted on side of house).

Rear mulch bed: When decorating your back yard, please remember that your neighbors are close and be considerate of what they will be viewing. Keep the décor neat, uncluttered and non-offensive.

Miscellaneous:

- Potted plants are permitted on front porches, one on either side of the front steps, on the front walkway, and on either side of the garage doors.
- Wreathes are permitted on front doors but not on windows except as holiday decorations. Artificial flowers are permitted only on front door wreathes.
- Garden supplies and equipment must be stored in the garage or basement – not on front or back porches, decks, patios, driveways or lawn.
- Ornaments on roofs are permitted only as holiday decorations.

Approved by Executive Board: Aug. 10, 2009

The following language should be added after Swimming Pools section and before Windows section on page 10 of Rules and Regulations which were approved by the Executive Board on October 18, 2008.

Walkways

Walkways may be replaced with high quality pavers or bricks if properly and professionally installed. The footprint of the walkway may be modified to curve. ARB approval must be received.

Approved by Executive Board: Aug. 10, 2009