

Welcome Home!



Fox  Ridge
Estates



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WELCOME TO THE NEIGHBORHOOD!

On behalf of your neighbors, Homeowners Association staff, and Board of Trustees, welcome to Fox Ridge Estates! We are very pleased you have chosen this community to call home.

This Welcome Packet has been created in the hope that it will ease your transition into your new home and surrounding area. Its purpose is to provide helpful hints on areas that will be of immediate interest to you while settling in.

It contains informal information on Fox Ridge Estates' Homeowners Association contacts, existing guidelines, meeting dates, committees, community activities and trash guidelines. Additional information can be found at the Associations website at www.foxridgeowners.org. Of all the documents on the website, the one of immediate importance will be the Association's Community Handbook, which you should have received a copy of with your closing documents. You can also download the most recent copy from the website. It outlines essential details on how to make changes to your exterior structure, paint colors, suggestions for landscaping, what to do about yard sales and many other details that every homeowner needs to be aware of. We strongly encourage you to take the time to read the Homeowners Bylaws and Declaration of Covenants, Conditions and Restrictions to ensure complete understanding of the Associations rules and regulations.

We encourage you to register for the Fox Ridge Estates "Quick Communications". This added feature provides the homeowner with up to date and immediate information on your community. This information is always valuable and can be related to events, meeting reminders, changes in management staff and weather related conditions happening throughout the year.

Because Oberer Management Services is always striving to improve and strengthen our relationship with the homeowners, we want to hear from you. If you have any questions regarding this information, please contact us at your convenience.

Oberer Management Services
Association Management Division
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Welcome to Fox Ridge Estates! We hope you find living at the beautiful and distinguished Fox Ridge is a happy and rewarding experience.

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INTRODUCTION

Fox Ridge Estates is a maintained planned-development community. It functions under the direction of the Board of Trustees.

Each homeowner at Fox Ridge Estates automatically becomes a member of the Fox Ridge Homeowners Association. The Association ensures the preservation of the community's original planning concepts and designs, and protects the assets of the community. The Homeowners Association is responsible for the efficient operation and maintenance of the property for the mutual benefit of all its homeowners.

Governing a maintained community through homeowners associations in an ingenious device whereby professionals are obtained to manage the community assets while authority and responsibility for the property's maintenance is retained by those most interested in the community's welfare-the property owners. Fox Ridge is proud of its facilities, homes, common areas, and its overall appearance and invites owners to participate in the governing functions of its association.

The purpose of this packet is to outline the operation structures and procedures and to provide homeowners with important information about the association and common areas of Fox Ridge. It is intended to serve as a reference and information source, and does not detail all documents governing the community.

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WEBSITE INFORMATION

Homeowner's Website: www.foxridgeowners.org

This site provides the following links:

- Annual Meeting Minutes
- Action Request Forms
- Improvement Application
- Current Budget
- Fox Ridge Estates Declaration of Covenants and Restrictions
- Fox Ridge Estates Articles of Incorporation
- Welcome to Fox Ridge Package
- Listing of Committees supporting the Board of Trustees
- Information about Oberer Management Services

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FROM THE BOARD OF TRUSTEES

Dear Fox Ridge Estates Homeowner:

We wish to extend a warm welcome to you as a new resident of Fox Ridge Estates, a maintained community by Oberer Management Services, Homeowners Association Division. Since you are a new homeowner in Fox Ridge, we are forwarding this Welcome Packet to you to help make your adjustment to your new home as trouble-free as possible.

Our community is governed by written documents known as the Declarations of Covenants and the By-Laws, which set forth your rights and obligations as a homeowner. Any homeowner who needs a copy of these documents should contact Oberer Management Services, Association Management Division.

The Fox Ridge Homeowners Association has a three-member Board of Trustees consisting of residents and professionals from the community's development team who volunteer to manage the everyday business of the Association. Any homeowner is welcome to attend a Board meeting at any time – just call the Association telephone number and leave a message requesting the time and date of the next meeting. The first quarter of each year is the Annual General Meeting of the Association. All homeowners are invited and encouraged to attend, meet other homeowners, and vote on important community issues.

Listed below are the names of important contacts for your information. Also, enclosed is a list of Helpful Reminders for all residents and homeowners in Fox Ridge Estates. For now, it is our sincere hope that the enclosed information will help you make a smooth adjustment to living in the neighborhood.

If you have a question, a comment, or a problem to report, please feel free to contact Oberer Management Services, Association Management Division. They are prepared to address your problems and answer any questions you may have about living in Fox Ridge Estates.

Sincerely,

Board of Trustees

Oberer Management Services Association Management Division
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Jennifer Holp
District Manager
Phone: 937.551.5506
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Lori Mateikat
Homeowner Association Manager
Phone: 937.531.5544
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Tina Paddon
Division Administrative Assistant
Phone: 937.531.5522
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PURPOSE OF THE BOARD OF TRUSTEES

The purpose of the Board of Trustees is to allow for elected representatives of all owner/members to set forth and administer policies and procedures, and to make managerial decisions affecting the operation and maintenance of association business and all commonly held real property.

The members of the Board of Trustees, being duly appointed and/or elected, are recognized by the State of Ohio as officers of the Corporation and have the authority to enter into contractual obligations, carry out and enforce all provisions of the Declaration, Articles of Incorporation, and By-Laws, and may assign such responsibilities as deemed appropriate to the Managing Agent.

Some of the responsibilities of your Board of Trustees include:

- Establish the policies and regulations that govern the association
- Supervise and prescribe the duties of the Managing Agent
- Approve the operating budget and all expenditures made by the association
- Set the amount of the lot assessments (association dues)
- Enforce architectural control
- Maintain the common areas and structures located on common property
- Keep a complete record of corporate affairs and report to homeowners

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DUTIES OF OFFICERS

PRESIDENT

The President shall be the Chief Executive Officer of the association. He/she shall preside at meetings of the members of the association and shall preside at all meetings of the Board of Trustees. Subject to the direction of the Board of Trustees, the President shall have general executive supervision over the business and affairs of the association. He/she may execute all authorized deeds, contracts and other obligations of the association and shall have such other authority and shall perform such other duties as may be determined by the Board of Trustees or otherwise provided for in the Declaration or By-Laws.

VICE-PRESIDENT

The Vice-President shall perform the duties of the President whenever the President is unable to, and shall have such other authority and perform such other duties as may be determined by the Board of Trustees.

SECRETARY

The Secretary shall keep the minutes of all meetings of the Board of Trustees. He/she shall keep such books and records as may be required by the Board of Trustees and shall give notices of meetings to members of the association and of the Board of Trustees as required by law, or by the By-Laws or otherwise, and shall perform such other duties as may be determined by the Board of Trustees.

TREASURER

The Treasurer shall receive and have charge of all money, bills, notes, and similar property belonging to the association, and shall do with the same as may be directed by the Board of Trustees. He/she shall keep accurate financial accounts and hold the same open for the inspection and examination by the Board and shall have the authority and shall perform such other duties as may be determined by the Board of Trustees.

The Board of Trustees shall have the power to employ a Manager or Management Company as they deem necessary, and to prescribe their duties.

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ABOUT YOUR MANAGEMENT TEAM

Oberer Management Services, an Oberer Company, is a third generation family-owned business that was founded in 1949. Starting as land developers, the Oberer Companies have expanded into Commercial Construction, Commercial Real Estate, Property Management Services, Association Management Services, and Custom Home Building.

For more than 30 years, Oberer Management Services has offered a full spectrum of real estate needs, specializing in a comprehensive, professional managed service solution.

Oberer Management Services is one of the industry leaders in property management throughout the Miami Valley, managing over 40 communities.

For more information about Oberer Companies and Oberer Management Services, please contact us at 937.278.0851 or visit us at www.oberer.com

MANAGING AGENT

Your Managing Agent is responsible for guiding and assisting the homeowners association and helping owners with problems or questions, as well as carrying out the policies and decisions of the Board of Trustees. The Managing Agent also has the responsibility of the daily management and operation of the community and its facilities.

Oberer Management Services is a professional firm specializing in homeowner and condominium management. They are hired by the Board of Trustees to advise, assist, and implement the decisions made by the Board. The following items are included in the contract for management.

- Collection and billing of homeowner assessments
- Payment of operating expenses
- Accounting and financial reporting
- Printing and distribution of any notices
- Direction of association employees and contractors
- General and emergency maintenance
- Maintenance and supervision of insurance coverage
- Custodial care of books and records involving association activities
- Handling resident requests
- Community coordination and communication
- Assisting the Board with budget planning

Please distinguish between the Managing Agent Manager and the members of the Board of Trustees. Your Trustees establish policies and make decisions, which the Managing Agent then implements on a day-to-day basis in operating Fox Ridge Estates Owners Association. Please direct your questions and comments regarding your community to the Managing Agent for the proper attention. Your Managing Agent meets with the Board of Trustees on a regular basis, at which time the affairs of the association are fully reviewed.

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MANAGEMENT STAFF

Jennifer Holp- District Manager

Jennifer joined the Oberer Management Services team in July of 2013 as the Manager of the Association Division, managing a portfolio of both Homeowners and Condominium Associations. In November 2016 she accepted the position of District Manager for a portion of our residential communities as well as overseeing the HOA division of Oberer Management Services.

Jennifer has over thirteen years of experience in property management, ranging from a single site manager to an area manager in Dallas, Texas, to association manager for homeowners and condominium associations primarily in the greater Dayton area. Prior to property management, Jennifer worked as a Restaurant General Manager for 8 years.

Jennifer does hold the CMCA designation and currently serves on several committees for the Greater Dayton Apartment Association.

Lori Mateikat – Association Management, Manager

Lori joined the Oberer Management Services team in January, 2017 as the Manager of the Association Division, managing a portfolio of both Homeowners and Condominium Associations.

Lori has over 15 years of experience in property management, including student housing, affordable and market rate housing, and most recently as an association manager for homeowners and condominium associations, including the Triple Crowne Homeowners Association, consisting of over 1,800 homes in Northern Kentucky.

Lori Holds the CMCA designation and is on Ohio Real Estate Licensee.

Tina Paddon – Association Division Administrative Assistant

Tina joined Oberer Management Services in May of 2014. She is providing Division Administrative Support to the Vice President, Division Managers and HOA Manager of our residential Property Management team.

Prior to coming to Oberer, Tina was the assistant office manager for a small, local heating and air conditioning company for 5 years. She also holds a Masters of Rehabilitation Counseling degree in Chemical Dependency, which she used while working with imprisoned and court ordered juveniles needing drug and alcohol treatment.

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OVERVIEW

Each homeowner is responsible for the maintenance and insurance of his/her own residence and contents. The Homeowner Association maintains and insures the common area, including facilities and equipment shared by the community. There are several documents used in the governing and managing of homeowner associations and common interest communities. Listed below are a few you should already have copies of, detailing the rights, obligations, duties and restrictions of residents and guests.

- The Declaration of Covenants, Conditions, and Restrictions that govern the use of the property
- The “By-Laws” and “Rules of Regulations” of the association govern the conduct of our residents, guest, and Board of Trustees.

All owners are encouraged to participate in directing the affairs of Fox Ridge Estates. Your input and cooperation are essential in order to accomplish the overall goals of the community.

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WHAT IS A HOMEOWNERS ASSOCIATION?

When developers first started building Homeowners Associations, everyone agreed that having property shared by all owners was a good idea. But one question remained, "who is going to take care of it?"

Local government was not responsible because the land was privately owned. The developer would eventually sell all the homes and go on to build another project. He would not want to be responsible. That left the residents. Since they own shared property, they should have the responsibility for its maintenance. The concept of an association was created.

A Homeowners Association is an organization of residents. A buyer automatically becomes a member with the purchase of a home within the development. As a member, he/she has a voice and vote in the association's affairs. These votes are cast during annual or special meetings of the general membership.

The automatic membership in a homeowners association is an incorporated, non-profit organization operating under recorded land agreement through which each land owner in a described area is automatically a member. Each member is subject to a charge for a proportionate share of expenses for maintenance of common property and support of other necessary activities of the organization.

The major responsibility of the association is to protect your investment and enhance the value of the property owned by the members. This is done by providing for the physical maintenance and operation of the shared property.

The association has other responsibilities too, such as, enforcing the regulations and architectural controls, and setting up an effective communications system among members.

To assure the homeowner of a well-run organization, a professional management firm has been retained as an integral part of the operation of the association. Professional management will ensure that the association functions as a viable business organization, protecting the homeowners' valuable investment. The management staff will coordinate and supervise the maintenance, financial, and architectural facets of the association.

THE HOMEOWNERS ASSOCIATION IS A BUSINESS

No matter what role you play in the association, one thing is certain, you will want it to operate as smoothly and efficiently as possible. The most important thing to remember about a community association is that it is a business. To be successful, it must operate like one.

ASSOCIATION LEGAL DOCUMENTS

When the developer plans his project, he develops a set of legal documents, which establishes the community association, governs its operation, and provides rules for use of all properties in the community. The legal documents consist of Declaration of Covenants, Articles of Incorporation, and By-Laws/Code of Regulations

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DECLARATION OF COVENANTS

The Declaration of Covenants is the collection of covenants imposed on all property within the development and provides:

1. For automatic association membership of all owners and the basis for voting rights;
2. The obligation of each owner to share in funding the cost of association operations;
3. Certain restrictions (architectural control and other rules) on the use of the property and association's enforcement power;
4. Sets forth the power and authority of the association to own and maintain any common property and/or easements, and to make and enforce rules.

ARTICLES OF INCORPORATION

The Articles of Incorporation creates the association as a legal entity under state corporate statute; defines the broad powers and responsibilities of the association and its membership; and, sets forth the process for creating the Board of Trustees, voting system, etc.

BY-LAWS/CODE OF REGULATIONS

The By-Laws/Code of Regulations implements, in specific detail, the provisions of the Articles of Incorporation regarding the association operations including delineation of the meeting process, elections procedures, powers and duties, board meetings, committees, insurance requirements, rulemaking, and enforcement process.

DISCLAIMER AND REFERRAL TO DOCUMENTS: This handbook is designed to familiarize owners briefly with the homeowners association, management, policies and procedures. A fuller, more comprehensive reference to any item concerning the association can be found in the Declaration, Articles of Incorporation, and By-Laws issued to all owners at the time they take title to their home.

In the case of any conflict between this handbook and the documents, the Declaration, Articles of Incorporation and By-Laws shall control.

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RESERVES

The Reserve Account is the association's way of setting aside money for future repairs and replacements. Each year, a certain portion of your association fee is set aside in a special interest bearing account to plan for the replacement and repair of the common areas. This helps to protect and preserve property values. This then is naturally included in the overall budget for the association.

Your ability to sell your home can be influenced by the adequacy of, or non-existence of, reserves set aside by the association. Primary lenders consider reserves for future needs a key part of a good financial policy and can consequently be more receptive to lending money in communities with an established reserve account policy. Reserves do, therefore, directly affect the resale value in associations.

ANNUAL ASSESSMENT

Payment of dues is essential to the maintenance of the association. Your association provides a payment coupon/statement which indicates the amount and due date. Reminders and late notices are sent to homeowners who do not pay in a timely manner. If, after all steps have been taken to collect delinquent dues, the account is still in arrears, **liens will be filed and foreclosure actions will be taken no later than three (3) months from the date the dues are in arrears.** Builders who purchase lots also pay their proportionate share of the dues prior to selling to individual homeowners. The developer contributes money to the association to cover any deficits during the development stages.

SPECIAL ASSESSMENTS

Occasionally, a community may have special needs for maintenance, repairs, or projects which were unforeseeable during the budgeting process. If this occurs, and if there are insufficient contingency funds in the operating budget or reserve fund to cover the unexpected expenses, the Board of Trustees has the authority to approve special assessments in addition to your yearly fees, in order to cover such expenses. Great care is given to avoid special assessments by carefully planning the community's budget and reserve funding requirements. In the unlikely event that a special assessment becomes necessary, homeowners will be fully informed. Your documents explain this topic in depth and detail the circumstances in which special assessments may be made.

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FOX RIDGE ESTATES OWNERS ASSOCIATION COLLECTION POLICY

First notice: Mailed to any owner who is thirty (30) days delinquent.

Second notice: Mailed to anyone who is fifty (50) days past due. This notice will request full payment within ten (10) days from the date of the notice or a lien will be recorded with **no further notice**.

Lien: When a lot owner is in default of payment of past due fees, and any other accrued fees for more than sixty (60) days, a lien will be prepared and recorded against the respective lot by the association's attorney. The lot owner will be responsible for all legal fees and collection expenses, including the associated costs of the lien.

Foreclosure: If a lien remains unpaid for a period of over thirty (30) days, the Board of Trustees, by resolution, may request the association's attorney to enforce action as provided for in the Declaration of Covenants, Conditions, Restrictions, Easements, and Liens of the Fox Ridge Estates Owners Association.

INSURANCE COVERAGE

The association homeowner should have an individual homeowner insurance policy. This policy should cover all structures, personal contents, carpeting and any changes and/or upgrades that have been made to the interior or exterior. The association carries insurance coverage on the common areas and easements only. The association also carries errors and omissions insurance coverage for the Board of Trustees.

PETS

Please be courteous to your neighbors when considering pets. Dogs, cats, and other household pets are permitted at Fox Ridge Estates provided they are not kept for commercial purposes.

- All pet owners are responsible for cleaning up after their pets.
- No animal may be a nuisance by barking, howling, or making loud noises so as to disturb your neighbors' peaceful enjoyment of their home.
- Dogs must be under leash control at all times on common property.

24 HOUR EMERGENCY CONTACT

In the event you witness an emergency on the common grounds when Oberer Management Services offices are closed, please call our office number at (937) 278-0851. We provide 24 hour emergency contact seven days a week, including holidays.

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ACTION/REQUEST PROCEDURES

Occasions may arise when homeowners have a specific item they wish to bring to the Board of Trustees attention. Written documentation addressed to the Board's attention is necessary to ensure proper action is taken. The procedure for initiating an action or request to the Board of Trustees is as follows:

Action Procedure: Homeowners are encouraged to resolve issues with their neighbors. If no resolution can be reached between the parties involved, place in writing your complaint, steps you have taken toward a reasonable solution, and your suggested solution for the problem.

Mail your request to:

Oberer Management Services
Attn: Fox Ridge Estates HOA
3445 Newmark Drive
Miamisburg, OH 45342

The following steps will be taken as necessary to resolve the complaint:

1. Initial letter sent to offending party.
2. If there is no resolution, a second letter will be sent.
3. If, after these two letters, the problem or complaint is not resolved, the issue will be taken to the Board of Trustees and recommendations will be made to alleviate the complaint. Recommendation may include pursuing legal remedies.

Request Procedures: To initiate a request to the Board of Trustees, state request in writing and forward to Oberer Management Services, at the address indicated above. We will forward your written request to the Board of Trustees. If you wish to address the Board of Trustees at a Board of Trustee meeting please state your issue in writing and forward to us.

Enclosed is an Action Request Form for your convenience.

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ACTION REQUEST FORM

Community: Fox Ridge Estates

Name: _____ Phone: _____

Address: _____

Specific request or complaint (supply name and address of any other party involved) _____

Name: _____

Address: _____

(Make attachment if additional space is needed.)

Steps you have taken toward a solution: _____

Your suggestions to solve this problem: _____

If the Board of Trustees would seek legal remedies in this matter, would you be willing to testify in Court?
(Please initial if answer is yes.) _____



The following information to be supplied to the Board of Trustees:

Received By: _____ Date: _____

Action Taken: _____

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SALE OR RENTAL OF YOUR HOME

Should you decide to sell or to rent your home, either by owner or through a Realtor, you need to transfer not only your property, but also the responsibilities of membership in the association. You can handle this in the purchase agreement of your home. Also, please contact Oberer Management Services as there are necessary forms you will need to fill out regarding association dues.

If you sell, your buyer will become a member of the association and be subject to the Covenants and By-Laws as you were when you purchased your home.

If you lease or rent your home, your tenant must be familiar with the Covenants and By-Laws of the association in order for you to be protected against your tenant's inadvertent violation of the Covenants through ignorance. The owner, not the tenant, is held responsible to the association for the tenant's behavior.

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ARCHITECTURAL CONTROL GUIDELINES

Architectural Control Application – The association has been charged with the responsibility of maintaining the aesthetic and architectural character of your community.

Any owner desiring to make any exterior change, improvement or addition (including change of color) must obtain approval for the change or improvement from the association through its Board of Trustees. All applications will be considered on an individual basis and all reasons presented for the improvements will be weighed and evaluated, based on the following considerations:

1. The harmony of external design and location in relating to surrounding buildings in the community.
2. The recognition of future maintenance problems or expenditures the installation might cause the association.
3. Adherence to Guidelines and Use Restrictions established in the Declaration of Covenants, By-laws, etc.

The procedures for this are as follows:

1. Submit to Oberer Management Services a complete description of the improvement with a drawing, photograph or catalog picture specifications as necessary. Attach a plot plan of the lot indicated where improvement or modification will be located on the lot. Attach to a completed Improvement Application.
2. The Board of Trustees and/or designated committee will review at the next scheduled meeting, and the application will be approved, disapproved, or additional or alternative recommendations for the improvement modification will be suggested. The owner will receive notice of the decision within several days from the date of the meeting.
3. Any change, modification, improvement made by an owner is the responsibility of the owner for maintenance, repair and/or replacement.
4. Unauthorized changes, modifications, or improvements must be removed or restored to original condition at the discretion of the association, through its Board of Trustees and will be at the expense of the owner.

The purpose of the Architectural Control approval is not to discourage improvement, but to control the nature of improvements to those that enhance the value and conform to the overall aesthetic appearance of the association. This control should be looked upon as a protection of your investment. The Board of Trustees and the association members are in favor of improvements and encourage owners to personalize their homes within the limitations of the Declaration of Covenants, Conditions and Deed Restrictions, and By-laws

**PROPERTY MANAGEMENT • CONSTRUCTION MANAGEMENT • FACILITY MANAGEMENT
ASSET MANAGEMENT • HOMEOWNER ASSOCIATION MANAGEMENT**

Oberer Management Services • 3445 Newmark Drive • Miamisburg, Ohio • 45342

Phone: 937.278.0851 Fax: 937.278.6334

www.oberer.com

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ELECTRONIC COMMUNICATION CONSENT

By signing the enclosed E-mail Consent Form, you are providing the Managing Agent, Oberer Management Services the permission to e-mail documents and mailers that the Association is normally required to send out via standard mail. Please be advised that you will ONLY receive these documents electronically once you sign and submit the e-mail consent form. For your privacy, the address list is suppressed.

The Board of Trustees and Oberer Management Services hope you will strongly consider this way of receiving mailings as the saving in copy and postage costs can become substantial pertaining to the information being mailed out. Also, please note the distribution list is for homeowners only.

Oberer Management Services is responsible for the delivery of documents to be complete and accurate at the time of the transmission and that all statutory or other notice requirements as defined in the Association's Governing Documents are perfected at transmission. Further, it is the homeowner's responsibility to notify the Managing Agent, Oberer Management Services, of any changes to the e-mail addresses, or the withdrawal of consent of e-mail delivery request.

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