

Welcome Home!





WELCOME TO THE NEIGHBORHOOD!

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

This Welcome Packet has been created with 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 Washington Trace's Homeowners Association contact information, existing guidelines, committees, and other valuable information. Additional information can be found at the Association's website at www.WashingtonTraceOwners.org. Of all the documents on the website, the one of immediate importance will be the Association's Community Packet, 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 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 Washington Trace "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 the information, please contact us at your convenience.

Oberer Management Services
Association Management Division
3445 Newmark Drive
Miamisburg, Ohio 45342
Phone: 937.278.0851 - 24 Hour Emergency Services
www.oberer.com

Welcome to Washington Trace! We hope you find living at the beautiful and distinguished Washington Trace is a happy and rewarding experience.



INTRODUCTION

Washington Trace is a planned-development community. It functions under the direction of the Board of Trustees.

Each homeowner at Washington Trace automatically becomes a member of the Washington Trace 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 developed 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. Washington Trace is proud of its 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 operational structure and procedures and to provide homeowners with important information about the association and common areas of Washington Trace. It is intended to serve as a reference and information source, and does not detail all documents governing the community. This packet is designed to familiarize owners briefly with the homeowners association, management, policies and procedures. A 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. The documents can also be located on your associations' website.

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



WEBSITE INFORMATION

Homeowner's Website: www.washingtontraceowners.org

This site provides the following links:

- Annual Meeting Minutes
- Action Request Forms
- Improvement Applications
- Current Budgets
- Declaration of Covenants and Restrictions
- Articles of Incorporation
- Welcome Packet
- Information about Oberer Management Services
- Code of Regulations



FROM THE BOARD OF TRUSTEES

Dear Washington Trace Homeowner:

We wish to extend a warm welcome to you as a new resident of Washington Trace, a managed community by Oberer Management Services, Homeowner's Association Division. Since you are a new homeowner in Washington Trace, 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 Washington Trace Homeowners Association has a three-member Board of Trustees consisting of residents of Washington Trace who volunteer to manage the everyday business of the association. Any homeowner is welcome to attend a Trustee meeting at any time – just call the association telephone number and leave a message requesting the time and date of the next meeting. During the calendar year, an Annual General Meeting of the Association will be held. 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 Washington Trace. 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 Washington Trace.

Sincerely,

Board of Trustees

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Association Management Division
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PURPOSE OF THE BOARD OF TRUSTEES

The Board of Trustees is a body of elected or appointed members who jointly set forth to oversee the activities, administer policies and procedures, and make managerial decisions affecting the operation and maintenance of the association and all commonly held real property of the community of Washington Trace.

The Trustees' activities are determined by the powers, duties, and responsibilities delegated to it or conferred on it by an authority outside itself. These matters are detailed in Washington Trace's By-Laws. The By-laws commonly also specify the number of members of the Trustees, how they are to be chosen, and when they are to meet.

Typical responsibilities of the Board of Trustees include:

- Governing the organization by establishing broad policies and objectives;
- Selecting, appointing, supporting and reviewing the performance of elected members
- Ensuring the availability of adequate financial resources;
- Approving annual budgets, operating budgets, and all expenditures made by the association
- Accounting to the stakeholders for the organization's performance;
- Setting the salaries and compensation of company management
- Establish the policies and regulations that govern the association
- Supervise and prescribe the duties of the Managing Agent
- 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

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.

The Board of Trustees presides over the actions of Washington Trace as it protects and ensures proper maintenance and enhancements of the community. By the Associations efforts, our homeowners can realize increased property values and experience quality living conditions in Washington Trace.

By action of the Board of Trustees, consultants and professionals are employed to assist them in meeting the need of the community in a professional and efficient manner utilizing the best methods and resources available. The Trustees' optional goal is to maintain and enhance the community's shared facilities and common areas and to enforce the rules dictated by its governing documents for the good and in the best interest of the Washington Trace homeowners. Consultants and licensed vendors are hired to assist the trustees in decisions that affect your community.



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 Trustee's 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.



YOUR MANAGEMENT TEAM

Oberer Management Services, an Oberer Companies, is a third generation family-owned business that was founded in 1949. Starting as land developers, the Oberer Companies has 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 on the web at www.oberer.com

MANAGING AGENT

As your homeowners' association managing agent, Oberer Management Services 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 Association Management. They are hired by the Board of Trustees to advise, assist, and implement the decisions made by the Trustees. The following items are included in the contract for management.

- Collection and billing of homeowner assessments
- Payment of operating expenses and maintaining the official books and records of the association
- Accounting and financial reporting
- Printing and distribution of any notices, announcements and violations
- Direction of association employees and contractors
- Emergency and General maintenance and common grounds throughout the community, including protect, maintain and repair
- Handling resident requests including dispute resolutions, questions, and complaints
- Coordination of Community activities and communications
- Management of common grounds throughout the community, including protect, maintain and repair
- Assisting in compliance of the provisions of documents and regulations
- Assisting the Trustees with budget planning, meetings, minutes, elections, and all various duties that management of the neighborhood involves

Please distinguish between the Managing Agent and the members of the Board of Trustees. Your Trustees establish policies and make decisions. The Managing Agent then implements the decisions on a day-to-day basis in operating Washington Trace's Homewoners Association. Your Managing Agent meets with the Board of Trustees on a regular basis, at which time the affairs of the association are fully reviewed.



YOUR 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 ensures the common area of 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 Trustees of Washington Trace.

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

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 owned shared property, they should have the responsibility for its maintenance. Thus, 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 homeowners 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.

DECLARATION OF COVENANTS

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

- For automatic association membership of all owners and the basis for voting rights;
- The obligation of each owner to share in funding the cost of association operations;
- Certain restrictions (architectural control and other rules) on the use of the property and association's enforcement power;
- 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 create 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 Trustees of Washington Trace, 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 meetings process, elections procedures, powers and duties, Trustee's meetings, committees, insurance requirements, rulemaking, and enforcement process.

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 items in the common areas. This helps to protect and preserve property values. This expense is included in the overall budget for the association.

Your ability to sell your home can be influenced by the adequacy or inadequacy 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 Trustees of Washington Trace has the authority to approve special assessments in addition to homeowners' yearly fees 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.

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 Trustees of Washington Trace, 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 Washington Trace Homeowners Association.

INSURANCE COVERAGE

The 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 Trustees of Washington Trace.



CLUBHOUSE RULES AND POLICIES

The clubhouse is available to residents for private social functions. To reserve the clubhouse, contact the Clubhouse Coordinator well in advance of your party date to ensure your reservations. A **\$1,000.00** security deposit will be required plus a **\$150.00 non-refundable** usage fee (total \$1,150.00 – two (2) checks). Residents will be responsible for any damage occurring to any furniture or fixtures during their use of the clubhouse. The rules and regulations are as follows:

GENERAL INFORMATION

- a. Clubhouse restroom facilities are open for community members during schedule open pool hours.
- b. Clubhouse is available for use as stated under "Private Functions". (See III)
- c. Clubhouse shall be cleaned as stated under "Cleaning".
- d. No pets shall be permitted in the Clubhouse.
- e. **THE COMMUNITY MEMBER RESERVING THE CLUBHOUSE MUST BE IN ATTENDANCE FOR THE DURATION OF THE FUNCTION.** He/She is responsible for the conduct of all guests.
- f. Under no circumstances shall alcoholic beverages be sold at any function.
- g. The clubhouse must be locked (doors and windows) when departing. Failure to lock the Clubhouse will result in forfeiture of the entire security deposit.
- h. If the key is lost, misplaced, or stolen, the member reserving the Clubhouse will be charged for replacement of the locking system and keys.
- i. All vehicles must be properly parked in the parking lots provided (not in private drives). Any vehicle improperly parked may be towed at the owner's expense. It shall be the responsibility of the community member reserving the Clubhouse to inform his/her guest where to park.
- j. The community member reserving the Clubhouse is responsible for cleaning it after use in accordance with the "Cleaning Checklist" provided by the Clubhouse Coordinator.
- k. Failure to clean the Clubhouse properly will result in forfeiture of all or part of the security deposit.
- l. The swimming pool area is the area contained within the surrounding fence and containing the swimming pools. **THE POOL AREA IS STRICTLY "OFF LIMITS" TO ALL GUESTS OF A PRIVATE FUNCTION. EVIDENCE OF A VIOLATION OF THIS POLICY WILL RESULT NOT ONLY IN FORFEITURE OF THE ENTIRE SECURITY DEPOSIT BUT THE MEMBER MAY BE ANSWERABLE TO THE BOARD OF TRUSTEES AND SUBJECT TO ANY ACTION IT DEEMS APPROPRIATE.**

CLEANING

- a. Special Cleaning: Performed by homeowner reserving clubhouse
- b. Cleaning must be completed by 10:30 a.m.

Scope of Work:

- Return all furnishings to their places
- Wash counters and sinks
- Clean appliances; inside and outside
- Clean tables and chairs
- Clean smudges and spills from ledges, rails, walls, woodwork, cabinets and floors
- Vacuum carpeted areas and upholstered furniture
- Sweep and/or mop floors as needed
- Clean restrooms
- Remove all waste and food from clubhouse and clubhouse area
- Clean surrounding common grounds of function related to debris



PRIVATE FUNCTIONS

The Clubhouse is available for use by all community members in good standing. A community member may be denied use of the Clubhouse for the following reasons:

- Delinquency in payment of Association Assessment
- History of damage to the Clubhouse
- History of negligence concerning clubhouse rules
- Other reasons deemed substantial by the Board of Trustees

The Board of Trustees must approve any denials of use by a community member.

RESERVATIONS

Reservations are made by calling the Clubhouse Coordinator/Management not less than seven (7) days or more than one hundred and twenty (120) days in advance of the date of the functions. All dates are reserved on a first come, first serve basis. A "Clubhouse Rental Form" is enclosed. This form must be completed and returned to the Clubhouse Coordinator together with a check for \$150.00, the amount of the usage fee, and a \$1,000.00 security deposit.

The key fob will be programmed and available on the day of your function. If the usage fee and security deposit are not received one week in advance, the key fob will not be ready for use.

In the event a member wishes to reserve more than one (1) date within the one hundred and twenty (120) day period, an additional usage fee and a separate request form must be received by the Clubhouse Coordinator for each date requested.

FEES

Usage fee of \$150.00. This fee is non-refundable. Security deposit of \$1,000.00. This fee is due as stated above in advance of the reserved date. This check will not be deposited but will be held until after the function. It will be refunded within 72 hours after the event if the Clubhouse is left in acceptable condition, no damage or loss has occurred, and there have been no infractions of Clubhouse rules. The Clubhouse Coordinator shall have jurisdiction over all questions in this matter.

Appeals may be made to the Board of Trustees. Failure to provide the deposit one (1) week in advance means forfeiture of the reservation and the usage fee. Checks should be made payable to Washington Trace Community Association.

HOURS

The Clubhouse is available for private functions between the hours of 12:00 p.m. and 2:00 a.m. If earlier access is needed for set up, this can be arranged with the Clubhouse Coordinator. All functions must be over by 2:00 a.m. Clubhouse cleaning must be completed by 10:30 a.m. the morning following your function. Entrance to the clubhouse for the purpose of preparing for a private function may not begin more than two (2) hours prior to a function, or as agreed.

- a. During the holiday season and Graduation Season, the Board of Trustees has the right to determine if a lottery or another means is needed to accommodate the number of requests for reservations.
- b. Reservation policy does not allow private functions to be held on:



- New Year's Eve/Day
- Labor Day Weekend
- Easter Day
- Thanksgiving
- Memorial Day Weekend
- Christmas Eve/Day
- Fourth of July

CLUBHOUSE PROPERTY

A copy of the "Cleaning Checklist" is attached for your use. It is the responsibility of the member reserving the Clubhouse to immediately tour the Clubhouse at their first access to the clubhouse prior to their function, at the time the key is received and/or prior to party. It is imperative the member thoroughly inspect the Clubhouse and note on the checklist any soiled or damaged items, other than those already inventoried and noted. Assessments for damage or loss of Clubhouse property will be based on the visual inspection and review of the "Clubhouse Inventory" and the "Cleaning Checklist" by the member and the reporting of missing items or of damage to the Clubhouse Coordinator prior to the function. Leave a detailed message for the Clubhouse Coordinator.

Leave your copy of the checklist on the kitchen counter top for use by the Clubhouse Coordinator for their "after the party" checkout. The community member reserving the Clubhouse is responsible for the payment of repair or replacement of any and all damaged items. This responsibility will remain in effect until the Clubhouse Coordinator completes their portion of the checklist and the checklist signed and returned to the community member.

- No item may be tacked or taped to the walls.
- No smoking is permitted within the clubhouse.
- Burning of candles is not permitted in the clubhouse.
- Televisions and sound systems should be turned off when leaving the premises.
- Exercise room privileges are not included in the rental usage of the party room.
- The use of fireworks is prohibited.
- The security system must be activated upon leaving the premises.
- Noted that furniture in certain areas may not be moved or altered.



RECREATIONAL RULES & REGULATIONS

It is our desire and intention to operate the Washington Trace facilities in a way which will best serve your needs and make your community as enjoyable as possible. The Board and its agents will strive to render prompt, efficient service, and will maintain the facilities in a manner commensurate with the type of community you desire. Your cooperation in observing these rules will avoid confusion and possible embarrassment. Any expense incurred by the Association as a result of violation of these rules will, insofar as feasible, be assessed against the resident responsible. Promptly notify the Board or it's agent of any needed repairs to equipment or fixtures.

NOTE: These rules become a part of the documents for the Association and must be adhered to by all residents to insure peaceful enjoyment of the facilities. These rules are set forth in order to maintain the facilities in a manner to keep the budget of the Home Owners Association as affordable as possible. If you see that these rules and regulations are not being followed, it will benefit you, as a homeowner, to report any and all damage and who is responsible for said damage. If we cannot identify who is responsible for said damage, all expenses will be divided among the Homeowners of Washington Trace. Please contact the police immediately if you see anyone trespassing and/or vandalizing the premises.

1. Upon the initial closing of your new home, the Home Owners Association will provide you with two (2) fobs to the swimming pool and restrooms. Any lost key or additional fob(s) needed will cost Seventy five dollars (\$75.00) per fob.
2. There is no lifeguard. Residents and/or their guests swim at their sole discretion.
3. The pool season will begin on Memorial Day and continue through to Labor Day of each year.
4. The pool hours are from 10:00 a.m. to 10:00 p.m. daily. If inclement weather occurs, the pool will be considered closed. The pool may be closed for maintenance operations, health conditions, weather, or any other reason deemed sufficient by the Board or it's agent, consistent with the welfare and safety of the residents.
5. Children under fourteen (14) years of age must be accompanied by a parent or responsible adult at all times.
6. There is a two (2) guest maximum per household per day. The only residents who are permitted guests are adults, eighteen (18) years or older. Children are permitted guests only when accompanied by an adult eighteen (18) years and older. **Should a resident wish to host more than 2 guests, there will be a \$5/guest charge collected at the pool gate.** Residents must accompany their guests to the pool and remain with them during their swim. The pool and amenities are for the exclusive use of Washington Trace Homeowners and their house guests. Those not following rules and guidelines could be charged with criminal trespassing. These areas are Private Property and there is No Trespassing.
7. NO GLASS or breakable containers of any kind shall be permitted within the fenced pool area or on the deck at any time.
8. Food and drink are not permitted in the pool or near the pool edge.
9. Proper swim attire is required. No cutoff jeans or cotton gym shorts will be allowed to be worn in the water. Cover ups and shoes are required when entering the clubhouse and rental offices.
10. Bicycles are not permitted in the pool area or at the pool gate. A bike rack is provided in the parking lot for your convenience. Roller blades, roller skates, etc. are not permitted.
11. No floats, tennis balls, etc. are permitted in the pool area. All sharp and dangerous objects, small balls, footballs, Frisbees, and Nerf balls must be kept out of the pool.
12. All trash must be placed in the containers provided.
13. Use of barbecue grills in the pool area is prohibited.
14. Pets are not permitted in the pool area.
15. No running, diving, pushing, wrestling, foul language or undue disturbance shall be permitted in or about the pool area.
16. Any person trespassing during any hours when the pool is declared closed shall be prosecuted.
17. The Board or its agent will not be responsible for loss or damage to personal property.
18. Property damage will be charged to responsible person(s).



19. Pool furniture is for the rest and relaxation of our residents and their guests only. It is not to be used as a diving board or as a play object. The furniture is to remain within the designated pool area and/or covered patio area.
20. All safety equipment is to be used for safety reasons only and not as recreational entertainment.
21. Washington Township police department has the authority to revoke pool privileges to persons not abiding by these pool rules and regulations, or arrest person(s) trespassing whom cannot prove that they are a resident of Washington Trace and have the right to the use of the amenities.
22. The use of the swimming pool is a privilege. This privilege may be revoked if the pool rules are misused or abused.
23. No standing on or jumping off of any planters or tiled surfaces.
24. All rules posted at the pool will be abided by.

Modifications

The Owner Association and/or Management reserves the right, at any time, to change or rescind one or more of these rules and regulations or to make and enforce such other reasonable rules and regulations as in Owner's judgment may be deemed advisable to promote the safety, care, and cleanliness of the facilities and for preservation of good order. These rules and such additional rules are a part of and have the same effect as the covenants.



PETS

Please be courteous to your neighbors when considering pets. Dogs, cats, and other household pets are permitted at Washington Trace, 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.

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 Trustees attention is necessary to ensure proper action is taken. The procedure for initiating an action or request to the Trustees of Washington Trace 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. You may mail, e-mail, or fax your request to:

Oberer Management Services
Association Management Division
3445 Newmark Drive, Miamisburg, OH 45342
Fax: 937.278.6334 | E-mail: imateikat@oberer.com

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

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

Request Procedures: To initiate a request to the Trustees of Washington Trace, state your request in writing and forward to Oberer Management Services, at the contact information above. We will forward your written request to the Trustees of Washington Trace. If you wish to address the Trustees of Washington Trace at a Board of Trustees meeting please state your issue in writing and forward to us. The **Action Request Form** is attached and can also be accessed on your association's website.

SALE OR RENTAL OF YOUR HOME

When 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 within 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. It is extremely important that your tenant has a copy of the Declaration and knows the expectations of the community standards. In the event of a violation, the owner, not the tenant, is held responsible for the tenant's behavior.



ARCHITECTURAL CONTROL GUIDELINES

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

All exterior improvements require an approved application. When completing an application form, which can be obtained on your association's website, attach all required exhibits. Include full details of the proposed change. If the change is structural, fencing, or grading, submit a sketch or plan and outline specifications. Be sure to include such information as type of material, size, height, color, location, etc. Provide a sketch of the location of a building or fence as it relates to your house and lot on a copy of your property map.

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 Trustees of Washington Trace. 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.
4. Compliance with all design standards.

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 Trustees Washington Trace 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 Trustees of Washington Trace 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 Trustees of Washington Trace 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.



ASSOCIATION FINE AND ENFORCEMENT SCHEDULE

Management sends out a "friendly reminder" notice regarding the nature of the infraction and asking that it be removed within 30 days. After initial 10 days, if the infraction has not been removed, management sends a violation notice. This notice will demand remedy within 10 days and will advise that the next step for the HOA will be a fine. Initial fine of \$50 is levied against the owner's account. The fine will escalate another \$50 every 5 days for a period of 30 days. If the infraction remains and/or the fine remain unpaid, the Trustees will file a lien against the property.

The Trustees also reserve the right to seek a court injunction for removal of the violation and/or to foreclose on the lien upon age of 30 days or more.



ELECTRONIC COMMUNICATION CONSENT

By signing the E-mail Consent Form, you are providing the Managing Agent, Oberer Management Services, with 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 Associations' 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.