



## NOTICE REGARDING COVENANTS AND/OR RESTRICTIONS

The following Covenants and/or Restrictions are added as a courtesy only and are NOT WARRANTED by the property owner, their broker or agent as to completeness, accuracy, currency, or enforceability. Any interested buyer prospect is urged as part of their due diligence to contact the relevant Community Association or developer to determine for themselves what covenants and/or restrictions currently apply, how long they may remain in force, and if any changes or amendments may be currently under consideration. Additionally, or alternatively, one may wish to consider hiring an attorney to conduct this search for them and provide advice as needed.



## **RULES & REGULATIONS**

**AS ADOPTED BY THE  
WALNUT MOUNTAIN PROPERTY OWNER'S ASSOCIATION  
BOARD OF DIRECTORS**

*Revised May 21, 2011*

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**WMPOA RULES AND REGULATIONS**  
**Adopted August 16, 2003**  
**(As Amended May 21, 2011)**

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## **I. INTRODUCTION**

On August 24, 2001 the Board of Directors of Walnut Mountain Property Owners' Association (WMPOA) adopted the enclosed Rules and Regulations for the Walnut Mountain Community. This action came after almost a year of work by some WMPOA members and after WMPOA property owners reviewed and submitted their recommendations and/or comments. Since that time, these Rules and Regulations have periodically been reviewed and revisions adopted by the WMPOA Board on August 16, 2003 and October 19, 2003.

It should be noted that the authority for these Rules and Regulations is given in the Bylaws of the Walnut Mountain Property Owners' Association, Inc., and the amended and restated Declaration of Covenants, Conditions and Restrictions (CCR'S) for Walnut Mountain dated September 25, 2000. These documents also give the authority to assess fines for violation of the Rules and Regulations and/or suspend privileges. It is the intention of the WMPOA Board to take any such action after a review of the alleged infraction, considering its severity and nature.

In addition to this document, each property owner should also obtain a copy of the "Bylaws of the Walnut Mountain Property Owners' Association, Inc." and the "amended and restated Declaration of Covenants, Conditions and Restrictions (CCR'S) for Walnut Mountain". Property owners intending to build will also need to review a copy of the "Architectural Control Committee (ACC) New Construction Agreement Rules and Regulations". All of these documents may be obtained at the WMPOA Office during normal working hours.

Finally, the term "property owners in good standing" is used throughout this document and applies to the title holder of record of a Walnut Mountain lot, current in all assessments (including water) and has not otherwise had membership privileges suspended for violation of the Rules and Regulations.

## **II. ACCESS RULES**

A. Property owners must lease a pass at the Walnut Mountain office in order to have 24-hour access to their property by automobile and must arrange with the office for lease of a pass for long-term tenants. Landlords are responsible for the collection of passes at the termination of the lease and for notifying the Walnut Mountain office that the lease has been terminated. Property owners are responsible for returning all passes to the office when their property is sold to receive a refund of the current assessed value of the pass.

B. Property owners with passes installed on their vehicles may proceed directly to gates, which will automatically open.

C. Homeowners' phone numbers and their tenants can be programmed into the call boxes. A cell phone or land line phone may be used. Long distance phone numbers may be entered but will be charged an annual fee. Those who use cell phones and long distance numbers must sign an affidavit stating they are responsible for all guests. Homeowners are encouraged to give their visitors their access code so they can use the call box to notify the homeowner of their arrival enabling the homeowner to open the gate by pushing "9" on their telephone.

D. It is the property owner's responsibility to make arrangements, through the Welcome Station or a neighbor, in advance, for their visitors if they are absent.

E. The property owner is responsible for arranging access for all parties involved in new construction; i.e., contractors, subcontractors, workers and supply deliveries. Contractor hours are 7:30am to 7pm Monday through Friday; and 8am to 6pm Saturday. Contractors, subcontractors and workers are not permitted to work on Sundays or holidays.

F. Property owners must notify the Walnut Mountain office as soon as possible if a pass is lost or stolen so the pass can be deactivated. Cost for lost pass replacements will be based on the current market rate for purchase of the passes.

G. Property owners are responsible for fines or damages incurred by visitors or tenants holding leased passes.

H. It is the responsibility of the property owner to make prior arrangements with the Welcome Station for allowing visitors, including commercial vehicles, to gain entrance to the mountain. Should the property owner not do so, the visitor must stop at the Welcome Station and be logged in by the attendant before being admitted.

I. Property owners are responsible for reporting to the office any change of phone numbers so their call box entry can be updated.

J. FEDEX, UPS, etc., should deliver directly to the property owner's home. The Welcome Station will only accept packages for homeowners who have filled out a form at the Welcome Station, relieving Walnut Mountain of all liability.

K. To report a criminal or illegal act, the Sheriff's Office should be called directly. In the event of other emergencies, depending on the nature and degree of the incident, call 911 or the appropriate authority (sheriff, fire or ambulance) and notify one of the Safety Committee Co-chairs. If neither of the Safety Co-chairs can be contacted, call any other Board member, beginning with the Vice President, and notify them of the situation.

L. Access Control Personnel will remain inside the Welcome Station and have visitors approach them.

M. Any person caught destroying or removing the automatic gate system, or any portion thereof, will be subject to prosecution by WMPOA to the fullest extent of the law, with the assistance of the appropriate law enforcement authorities.

### **III. BULLETIN BOARD RULES**

Two bulletin boards are located adjacent to the mail kiosk to be utilized by Walnut Mountain property owners, Walnut Mountain Administration, and for Walnut Mountain events.

A. The larger of the two bulletin boards will be designated as the events board and will be used for Mountain events only.

B. The smaller board will be used by WMPOA business and owners. The right side of the smaller board is for WMPOA business only. The left side of the smaller board is for the use of Walnut Mountain property owners. Items on the left side are subject to the following regulations:

1. Items should be no larger than 3 inches by 5 inches;
2. Only business cards of Walnut Mountain property owners will be permitted for display. The owner's lot number must be printed in the lower right hand corner of the card;
3. All items other than business cards should be dated and will be removed after one month;
4. Violations of the above regulations will be grounds for immediate removal of the card.

### **IV. CAMPGROUND RULES AND REGULATIONS**

A. Camping is allowed only in the designated campground area and is not allowed on Turniptown Creek.

B. All property owners in good standing and their registered guests are entitled to use the campground. Reservations are accepted and require a deposit. Guests must be accompanied by the property owner upon arrival and be registered with the Access Control

Personnel at the Welcome Station. A copy of the Walnut Mountain Rules and Regulations must be given to registered guests. The campground has a gate at the entrance which will be locked after hours and will be on the same schedule as the Welcome Station hours and the restrooms will be locked at all times. Both gate and restrooms will be unlocked for the duration of a registered camper's stay. The campground will be accessible to all property owners after hours by way of foot traffic.

## **V. CLUBHOUSE RULES**

A. All Walnut Mountain property owners in good standing may rent the Clubhouse with prior reservations. Property owners will be responsible for damages and upholding all Rules and Regulations. The Clubhouse is not to be open on a regular basis. The Clubhouse is kept locked to prevent unauthorized entry and for security. Any renter of the clubhouse must be a Walnut Mountain property owner and shall be held responsible for any and all rules and/or damage to the clubhouse.

B. Reservations for the Clubhouse are subject to availability and the approval of the WMPOA Administrator. Property owners should make reservations, at least two weeks in advance. The applicable fee and security deposit (refundable if cleaned and damage free) must be received to hold the reservation and must be in the office two weeks prior to the reservation date. Any function that occurs after Welcome Station hours or on off-duty days will be charged an additional fee for an Access Attendant if needed. Otherwise, a temporary phone number can be added to the gate system. If the number is long distance, a fee will be charged.

C. The Clubhouse pantry is for the storage of WMPOA supplies and only a WMPOA Board member or their designees are allowed access.

D. No one with wet bathing suits shall be permitted on the main floor of the Clubhouse. Toilet and bathing facilities are downstairs. No animals (except for the handicapped) are allowed in the Clubhouse at any time.

E. A guest list must be prepared for all functions and should be in alphabetical order. The guest list must not exceed 100 names, due to fire safety precautions, and under no circumstances will the access control person admit anyone if their name is not on the guest list. The guest list must be submitted to the Administration Office at least 5 days in advance.

F. Reservation of the Clubhouse does not include use of any other amenities on Walnut Mountain, such as swimming pool, tennis courts or lakes.

G. To insure the privacy of all property owners residing on Walnut Mountain, excessive noise, disorderly or obscene conduct will not be tolerated. Local law enforcement agencies have permission to inspect any function at any time to ensure compliance. The property owner must be present at all times and is personally responsible for the entire function.

H. Pre-inspection of the Clubhouse, complete with a signed inspection sheet as to the condition of the Clubhouse is a prerequisite for renting. An inspection will be made by a WMPOA representative within 48 hours after rental to determine if any charges are to be made for failure to leave the premises in proper order. Such charges will be deducted from the security deposit and any overage will be billed to the property owner. All furniture that had to be moved must be returned to the original position in order for the full deposit to be returned.

I. Upon completion of the function, the property owner is responsible for securing the area, i.e., turning off lights, air-conditioning, securing windows, doors, etc. The thermostat should be reset according to the season, 55 degrees for winter and 78 degrees for summer. Any damage to furniture, Clubhouse and/or grounds will result in a charge to the property owner for the cost of replacement or repair. Failure to turn off lights and reset the heat or air conditioning will also result in a charge based on the average of excessive use. Bagged garbage should not be left at the Clubhouse and should be placed in the dumpster behind the maintenance building.

J. DO NOT remove any decorations from the Clubhouse, as it is the property of all WMPOA property owners.

K. Fines will be applied if the gate system is compromised in any way; i.e., propping the gate open. The gate must remain operational to provide controlled access to all.

## **VI. TENNIS COURT RULES**

A. Tennis courts are open at all times and are available on a first-come, first-served basis. Courts must be relinquished within 90 minutes to other parties waiting to play. No reservations are required.

B. Only tennis shoes are allowed on the court surface.

C. Do not throw rocks or other foreign objects on the court surface. If objects are found on the surface, please remove them prior to play.

## **VII. SWIMMING POOL RULES**

A. All property owners are responsible for their children and guests. Only property owners in good standing and their registered guests may use the pool. A guest is defined as a person visiting with a property owner, not merely an acquaintance using an owner's identity to use the pool.

B. The property owner must accompany their guests while using the pool. The only exception to this rule is with property rental. Renters have the same privileges as a property owner. However, property owners are responsible for their renter's activities, conduct and any misuse of WMPOA property.



- C. No one is allowed to use the pool alone; at least one other adult must be present.
- D. No one under the age of 14 is permitted to use the pool unless under the direct supervision of an adult. If a Swimming Pool Attendant is present they will have the authority to enforce all the rules applicable to using the pool.
- E. Children age three and under must wear a swimming diaper.
- F. Personal equipment hazardous to bathers is not permitted in the pool area.
- G. Running, pushing, or rough play is not permitted in the pool or around the pool apron.
- H. The following items are not permitted in the fenced area around the pool: food, pets, tobacco products, glass containers or any other breakable items.
- I. Only drinking water is allowed inside the pool area.
- J. Furniture and equipment are not to be removed from the pool area.
- K. Litter should be disposed of in the provided trash containers.
- L. Proper swim attire is required. Cutoff jeans are not permitted in the pool.
- M. Persons with skin rashes, open sores, wounds and bandages are not permitted in the pool.
- N. All persons must shower prior to entering the pool.
- O. The pool is always available for property owners to use during the scheduled open hours; therefore, the pool cannot be reserved except when deemed necessary by the WMPOA Board for a WMPOA event.
- P. Property owners wishing to have parties with a maximum of 12 guests must:
  - 1. Make their request to the WMPOA Administrator at least one week in advance.
  - 2. Pay appropriate fees for guests.
  - 3. Restrict parties to weekdays (Monday through Friday).
  - 4. Be responsible for any cost of repair or cleaning.
- Q. Law enforcement will be notified for the following reasons: a) nudity, b) use of illegal substances and alcohol, c) destruction of property and vandalism. Pool privileges will be suspended for one year or permanently, depending on the nature and extent of the violation.
- R. The hours are posted at the pool. Pool opening is normally Memorial Day weekend and closing is normally Labor Day weekend.

## **VIII. SAFETY RULES & REGULATIONS**

### **A. House Numbers**

All homes must have a "911" house number displayed.

### **B. Lakes and Streams**

1. For safety reasons no swimming is allowed in any lakes and streams.
2. Gasoline powered motors are not allowed on any of the lakes.
  
3. One Coast Guard approved personal flotation device for each passenger must be on board any watercraft used on any lake. Children under 12 must wear a flotation device at all times while in the watercraft.

### **C. Fireworks and Firearms**

1. Fireworks may not be set off within the limits of Walnut Mountain (per State regulations).
2. The display or discharge of firearms on the common property is prohibited; provided, however, that the limited purpose of transporting the "firearms" across the Common Property to or from the owner's lot. The term "firearms" includes firearms of all types regardless of size. Notwithstanding this provision, "B-B" gun and pellet guns may be fired on lots.
3. Hunting is not allowed on Walnut Mountain, as it is a designated wildlife sanctuary.

### **D. Vehicle Operations and Parking**

1. No person shall operate any vehicle in a careless, negligent, or reckless manner that endangers any person, property, or environmental feature. The following rules apply to the operation of all vehicles including ATV's and other recreational vehicles:
  - The speed limit on Walnut Mountain is posted and should be strictly observed.
  - Keep to the right of roadway at all times.
  - All operators must be at least 16 years of age.
  - Operators must have a valid drivers license at all times.
  - No overnight parking is allowed in the common areas except during weather emergencies.
  - Blocking any Walnut Mountain road is not permitted.
2. All vehicles parked on Walnut Mountain must have a current registration and license.
3. Parked construction equipment should not impede traffic during daylight working hours. Construction equipment may not be parked on the road or shoulder of perimeter roads except during approved hours.

### **E. Fires**

No open burning is permitted. All fires must be in grills or in appropriate fire containers.

### **F. Pets**

All pets must be leashed or under the positive control of the owner.

## **IX. DISPOSAL RULES**

### **A. Rubbish, Trash and Garbage**

1. All rubbish, trash, brush and garbage shall be regularly removed from the lot and not be allowed to accumulate.
2. No garbage, trash or brush shall be placed on the common property, temporarily or otherwise.
3. Containers for garbage or other refuse shall be in an underground container or in an approved screened sanitary enclosure.

### **B. Dumpster Rules**

1. Dumpsters are provided only for the use of Walnut Mountain property owners.
2. Rubbish, trash and garbage placed in dumpsters shall be contained in plastic or paper trash bags. Boxes cannot be used as a substitute.
3. Materials such as wood, concrete, metal, furniture, rugs, screens and similar materials shall NOT be placed in the dumpsters. Additional dumpsters are provided twice a year for disposal of construction materials and non-domestic trash.
4. All cardboard boxes must be broken down.

### **C. Gilmer County Landfill**

The following items must be taken to the County landfill, and should not be placed in the Walnut Mountain dumpsters:

1. Boxes containing trash, rubbish or garbage.
2. Furniture items such as mattresses, recliners, tables, cabinets, TV's, ladders, chairs, sofas, lamps, microwave ovens, etc.
3. All other items such as building materials, gutters, sinks, lumber, pipes, cable satellite posts, inner tubes, carpet, carpet backing, boxes, etc.

### **D. Hazardous Waste**

Hazardous waste shall not be disposed of in Walnut Mountain dumpsters or *anywhere* on the Walnut Mountain property.

## **X. OUTSIDE STORAGE RULES**

A. No boats, boats on trailers, utility trailers, campers, vehicles without current tags (with the exception of ATV's that remain on the Mountain) or motor homes, are to be parked on personal or common property on Walnut Mountain for longer than 24 hours. If parked in a location on your property which is not visible from the street or your neighbor's property, it may be allowed.

B. Upon any violation of this rule, a written notice shall be issued and/or posted conspicuously on the property. Phone contact will be attempted; however, the violation period starts from the time of posting. In the event that the violation has not been addressed within 24 hours of posting the violation notice, the WMPOA shall have the right to take action as necessary to correct the violation, at the expense of the owner, including towing fees and any extra fines.

## **XI. CAMPER/BOAT-TRAILER STORAGE RULES**

- A. The storage area is only for motor homes, campers, boats on trailers and utility trailers (vehicle). It is only available to property owners in good standing. Friends or relatives may not use storage area. Automobiles cannot be stored in this area.
- B. Each vehicle must be registered with the WMPOA office and must be re-registered on an annual basis coinciding with the vehicle registration. Any vehicle not registered with the WMPOA office or does not have a current, valid license will be towed at the owner's expense.
- C. Priority for storage space shall be given to full-time WMPOA residents.
- D. An annual fee is required for storage space. Walnut Mountain will not be held responsible for any damage to items stored in this facility.

## **XII. ARCHITECTURAL CONTROL RULES AND REGULATIONS**

### **A. Purpose & Authority**

Walnut Mountain is an architecturally controlled community, established to protect and preserve the beauty and integrity of the environment and property values of the WMPOA owners by establishing architectural standards, for consistent development and maintaining aesthetic harmony and compatibility among the Walnut Mountain community. Towards those ends, the Architectural Control Committee (ACC) is a standing committee provided for in the Walnut Mountain CCR's and Bylaws and is charged with "establishing and maintaining architectural standards in the property." The ACC is given the authority to make and enforce rules, impose monetary fines, and use other means to insure compliance with these standards. WMPOA also has the authority to correct violations and assess the cost of such corrections to the property owner.

### **B. Compliance**

Each property owner/contractor is legally obligated to comply with WMPOA Bylaws, CCR's and these Rules and Regulations. Property owners are responsible for insuring that family members, guests, friends and renters also maintain compliance.

### **C. Pre-approval**

1. The CCR's require that changes affecting the home's exterior or lot must have the prior written approval of the ACC. Forms may be obtained at the Administration Office or online at [www.walnutmountain.org](http://www.walnutmountain.org). The ACC will review requests within 15 working days following the receipt of the application. The following changes require prior written approval:

- Additions of rooms, decks, carports, and garages.
- Paving, gravel, asphalt or concrete work.
- Installation of fences, ponds, fountains, etc.

- Installation of exterior flood or security lights (approval of affected neighbors is also required).
- Re-grading, any significant landscaping changes and any tree cutting or trimming;
- Exterior painting and changes to any outdoor structures.

2. In addition to written submission of the approved request form, any drawings or documents which may be helpful must also be provided. The property owner is responsible for identifying and marking the property boundaries so that compliance can be verified for set back requirements, if needed.

3. The ACC is granted the authority to implement rules, enforce policy, issue fines and issue "Stop Work" orders for violations.

4. Builders must be approved by the ACC for each project. Builders are also required to agree to all portions of the builder's package. A builder may be denied approval after three written violations of the WMPOA Rules and Regulations.

#### D. Construction Time Frame

Walnut Mountain CCR's state that new home construction must be completed with 12 months from the date construction is approved. For modification to any existing structure the time frame is 6 months from the date the construction is approved. Extension of these time limits may be approved by the ACC after written request of a property owner.

#### E. Certificate of Occupancy

No occupancy of a dwelling is allowed until a Certificate of Occupancy is obtained from Gilmer County Building Department and the ACC has inspected and approved the structure.

#### F. Water Impact Fee

The water impact fee and the currently approved fee for meter installation must be paid upon approval of construction. Water meter hook-up must be scheduled a week in advance and a pro-rated water assessment fee must be paid. The fee schedule may be obtained from the Administration Office.

#### G. Set Backs

Proper set back from pins are 15 feet from the side line of any lot, 40 feet from the rear line of any lot and 25 feet from the front line of any lot (the front line of a lot shall be deemed to be the lot line which is contiguous to a street or road). These must be checked prior to any tree removal or foundation digging. There is a 6 foot easement at the front lot line for water lines and culverts.

#### H. Variances

All set backs requested for variances must first be submitted to the County. Written approval from the County must then be submitted to the ACC for review and approval. All requests must be submitted in writing to the ACC. The Board of Directors will consider these requests and notify the property owner of its decision.

#### I. Construction Plans

Construction plans must include floor plans, elevations, roof and exterior finishing materials and color of siding and trim. The house must have a minimum of 1250 square feet of

finished living space with heat and A/C, excluding the basement. The house and driveway should be staked and shown on the plat/survey. Building colors shall be woodsy, earth tone finishes. Samples are available in the Administration Office. No vinyl or metal exterior siding will be permitted. Retaining walls should be installed for erosion control as needed.

#### J. Equipment

No track equipment is permitted on Walnut Mountain paved roads. All track equipment, i.e., dozers and loaders, must be hauled to the job-site. Concrete trucks shall be loaded to a maximum of seven cubic yards to minimize spillage and/or damage to the road. Any spills or road damage is the responsibility of the builder to have it cleaned up or repaired. Concrete trucks must clean their chutes only on the construction site. It is the builder's responsibility to make sure the area where the concrete truck is washed out is cleaned up.

#### K. Ground Disturbance

The Property Manager must be contacted to locate existing water lines prior to disturbing the ground on any lot in order to help prevent any damage or breakage of the water lines. Any breakage of water lines or power lines due to the construction will result in a damage fee assessed to the lot owner and/or builder.

#### L. Silt Fence

Installation of a silt fence is required prior to any construction or landscaping that involves delivery or disturbance of significant amounts of dirt. When work is performed around a wetland or lake area, two silt fences are required for stabilization. The silt fence must remain in place and be maintained until the ground is stabilized, which is approximately six months to one year.

#### M. Culverts and Driveways

Culverts must be a minimum size of 15 inches in diameter and galvanized, or the installation of a swale will be sized and installed after review and approval by the ACC. Culverts must be kept clean of dirt and leaves that will prevent proper water flow. Property owners must insure that no dirt or gravel is diverted onto neighboring lots or common grounds. Any driveway with an elevation upgrade of 12% or more from the street must have a concrete or asphalt apron which will help prevent the gravel from washing into the roadway.

#### N. Water Flow and Drainage Control

To the degree possible, the natural channels of runoff should be maintained. French drains, ditches, culverts, curbs, or swale diverters should be utilized to divert runoff to its natural channel. Water runoff cannot be directed onto neighboring property. Prior to requesting approval of construction plans, the following steps should be taken:

1. Inspect the existing drainage conditions;
2. Determine the existing flow of water over the area to be improved;
3. Assess the effect of plan changes on the existing water flow; and
4. Determine a plan to return water flow (as much as possible) to the normal runoff pattern.

#### O. Trees and Shrubs

Property owners must obtain written approval from the ACC before cutting or trimming any trees or shrubs. If professional tree cutting services are used, the property owner and the company representative must sign the approved forms. Written requests for ACC approval must contain a drawing of the lot indicating the location of the trees affected by the request.

1. The trees must be tagged and lot lines located before the ACC reviews the request on the site. The ACC will review requests within 15 working days from receipt of the application. In the event of an emergency, the property owner should contact the ACC or any board member prior to beginning the work. Any work that requires ACC approval and is done without that approval may result in a fine for each tree.
2. Approval is required for the following:
  - Cutting trees with a base diameter of 4" or greater. (The measurement is taken where the trunk enters the ground).
  - Cutting or trimming any limbs 3" or greater in diameter. (The measurement is taken where the limb joins the trunk).
  - Topping, side dressing or trimming for view regardless of tree or branch size.
  - Cutting or trimming anything in the green belt.
3. To enhance the survival of trees during the construction process, property owners should ensure that any soil or rock is immediately removed from the base of the tree which was displaced by wash or grading.

#### P. Sanitation

During the construction period, a "port-a-potty" must be provided on the job site for all construction personnel and located away from the mountain's roadway. Provisions must be made to keep the "port-a-potty" from falling over due to high winds.

#### Q. Site Maintenance

Property owners must always clear all trash and properly maintain their property. Building material remnants must be trucked off the site every other Friday or sooner if necessary. All building materials are to be placed as inconspicuously as possible. It is the builder's responsibility to see that the roadway and adjacent lots are cleared of any debris daily before leaving the job site. No debris or scrap materials should be buried under backfill.

#### R. Burning

There shall be absolutely no burning on the job site for any reason, including "burn barrels".

#### S. Access Control

During the construction period, a list of contractors approved to be admitted for construction, must be submitted with the Builder's Packet. A copy of this list will be forwarded to the Access Control Personnel at the Welcome Station. No one will be admitted unless previously authorized. Construction personnel, construction vehicles and delivery of materials are only allowed between the approved hours and days of 7:30am to 7pm Monday through Friday, and Saturdays 8am to 6pm. NO work is permitted on Sundays or holidays. All construction personnel are required to sign in and out daily on the work log at the Welcome Station, indicating name, company name or self-employed, and address of work site. Access Control will record the date and time of entrance and departure and the tag number of the vehicle. Construction personnel will receive a guest numbered card which must be returned to Access Control upon each departure from

Walnut Mountain. All construction personnel must use the most direct route to the work site. The speed limits on Walnut Mountain are posted and must be observed for everyone's safety. All vehicles must keep to the right of the roadway at all times and yield to vehicles coming uphill.

#### T. Limitations

Construction personnel are not permitted to use any of the Walnut Mountain amenities, such as the swimming pool, lakes, tennis courts, etc. Any worker violating this rule will be denied access to Walnut Mountain. Per Walnut Mountain CCR's, "No hunting or discharging of firearms, bows, cross-bows, pellet or air guns are allowed within the Walnut Mountain Development". No one is allowed to remove plants from any area of the Walnut Mountain property.

#### U. Propane Tanks

Property owners must enclose tanks with material that is consistent with the home and helps reduce the visual impact of the tank from the road or from a neighbor's home.

#### V. Signs

Signs containing the property owner's name, address and/or lot number are allowed. "For Sale" and advertising signs are not allowed anywhere on the Walnut Mountain property. All homes are required to display a "911" access number. Signs required by legal proceedings may be attached to the property.

#### W. Maintenance (Existing Homes)

Property owners are required to maintain their lots, keeping them free from litter and other debris. Outside property may not be used for storage of any kind, such as discarded appliances, construction materials and storage boxes. Vehicles which are inoperable or do not have a valid, current license are specifically prohibited. If a structure sustains significant damage, the property owner must make repairs promptly and must have the repair plans approved in advance by the ACC. Samples of paint, stain and roofing material must be submitted to the ACC for approval prior to repairs.

#### X. Deer Netting or Fencing

All fencing must be approved by the ACC regarding location, appearance and materials. Deer netting may be installed if it is a dark color, consists of only a single layer, and neatly installed entirely on the owner's property. Stakes should be made as inconspicuous as possible. Chain link fencing is not allowed.

#### Y. Water Service

Property owners are responsible for the cost of any water leaks that occur on their side of the water meter, including cost of repairs, a reconnect fee and the total amount of the water lost or used. If a property owner or its agent breaks a water line, regardless of which side of the meter it occurs, the property owner will be charged for the cost of repairs and the water lost or used. The WMPOA has the authority to disconnect the water supply to anyone that has not paid their water bill or when a leak is detected. If service is disconnected, the property owner will be charged a reconnect fee in addition to any water usage charges or fees owed to WMPOA.



## Z. Appeals

Any decision by the ACC may be appealed to the ACC with justification for the appeal. If denied, the decision may be appealed in writing to the Board of Directors, within 30 days of notice, with complete documentation of the denied request.

### Z1. Amendments

The ACC may alter, amend or repeal the standards subject to the approval of the Board of Directors.

### Z2. Bonds

1. Upon execution of the WM Builder's Compliance Bond agreement, the property owner/contractor shall post a cash bond in the amount indicated in the bond schedule. The purpose of such bond is to assure WMPOA of financial stability and payment for any damages or penalties arising from violation of the terms of this agreement.

2. Upon any violation of the terms of this agreement, or the Gilmer County Building Development ordinances, Written Notice shall be provided and/or posted conspicuously on the premises. Phone contact will be attempted, but the violation period starts from the time of posting. In the event that the violation has not been rectified with 24 hours of posting for silt fence and 48 hours of posting for other violations, then the ACC shall have the right to take such action as necessary to correct the violation at the expense of the owner/builder.

3. The property owner must consent to entry by the ACC onto the property for the assessment of corrective measures. The direct and indirect cost of these measures will be deducted from the bond as a determined by the ACC and the fee schedule. Any amount which exceeds the bond shall be the responsibility of the lot owner and builder. In addition to the cost of these corrective measures taken by the ACC, a daily penalty will be assessed against the bond for each day after expiration of the 24 and 48 hour periods during which the violations continue.

4. Upon completion of construction, the bond amount or remainder will be returned to the builder. Any deficiency or additional liability to the WMPOA, according to the terms of this provision, shall create a lien against the property and may be enforced the same as other assessments by the WMPOA.

5. Upon notification to the builder/property owner in violation of this agreement, the ACC reserves the right to deny access to the building site to all contractors, sub-contractors, vendors, workers, etc., until the violation is corrected and accepted by a representative of the ACC.

6. All contractors must comply with the CCR's Item 10, Section A-K; Construction Agreement 8/03. The current fee schedule is available upon request from the Administration Office.