

SPICER ESTATES HOMEOWNERS ASSOCIATION, INC.

RULES AND REGULATIONS

A. ARCHITECTURAL CONTROL

Consistent with Article IX, Section 2, of the By-Laws of Spicer Estates Homeowners Association, Inc., no exterior alteration; including, but not limited to, the building of any structure of any kind, fence, shelter, tennis court, swimming pool, outside lights, antennas, wall, patio, patio enclosure or other external improvement above or below the surface of the ground shall be erected, placed, altered or permitted to remain on any building lot until the proposed building plans, setbacks, specifications, materials, exterior color or finish, elevation, site layout and/or plot plan showing the proposed location of such improvement have been submitted in writing to and approved by the Architectural Control Committee of the Spicer Estates Homeowners Association, Inc. Similarly, consistent with Article IX, Section 2 of the By-Laws of Spicer Estates Homeowners Association, Inc., no grading, landscaping or excavation shall be commenced until the proposed landscaping plans have been submitted in writing to and approved by the Architectural Control Committee of the Spicer Estates Homeowners Association, Inc. Accordingly, and while these Rules and Regulations specify criteria to be used by the Architectural Control Committee in deciding whether or not to permit a requested exterior alteration and/or landscaping plan, the homeowner must secure prior approval before commencing any contemplated alterations and/or landscaping. The Architectural Control Committee shall, however, apply these Rules and Regulations and shall act promptly and fairly in considering any homeowner's request for an exterior alteration and/or landscaping plan.

Notwithstanding any contrary provision contained herein, any exterior alteration and/or landscaping plan that has been commenced, received prior written approval and completed by June 1, 2006; and which is not otherwise violative of the Declaration of Restrictive and Protective Covenants, By-Laws of Spicer Estates Homeowners Association Inc. and or the original Rules and Regulations annexed thereto shall be permitted remain i.e. these Rules and Regulation shall be made effective June 6. 2006 and as such shall be prospectively and enforced

B. PETS

All Pets must be walked on a leash at all times. Any animal outside of any dwelling must be leashed and at no time shall it create a nuisance of any kind. Animal's owners shall exercise common courtesy and avoid pets their pets within close proximity of their neighbors

1. All pet must wear an easily visible identification tag when outside of owner's residence
2. All pets must be attended by owner and kept on a leash no longer the 6 feet
3. Any pet found unattended without a current tag will be turned over to the Harrison Township Animal control Unit
4. All pet owners must adhere to any animal pet laws of the Township of Harrison, as well as any other laws or ordinances related to pets.
5. Invisible fences to keep pets on your property are allowed.

C. TRASH

All trash must be placed in sealed containers before being placed at the curb and not more than one (1) night prior to the normal trash pickup schedule. This will help eliminate odors and avoid any possible disturbance from existing pets and further avoid loose trash from blowing around. Trash containers must be stored in garage. No outside storage of any type is permitted in Spicer Estates.

D. NUISANCES AND NOISE

At no time hereafter shall any member of the Association or any person (s) acting under him/her use any object or thing which creates noise, smoke, odor, soot or vibration in such a manner to disturb any other member, nor shall they place signs (except as permitted under Article VII) of Declaration of restrictive Covenants) banners, pennants, flashing lights, wires, clothing or any other unsightly object beyond the exterior walls of any dwelling so as that they are in any way visible from the outside; provided, however, that lights of a steady or flashing nature will be permitted to be used during the year: end holiday season.

E. ADDITIONS TO STRUCTURE

Any and all additions must stay within the building envelope as shown on the final survey and must be approved by the Harrison Township Planning and/or Zoning Boards and any other governmental agencies having jurisdiction. Any and all additions must be requested in writing and submitted to the Spicer Estates Board of Trustees for approval prior to proceeding forward with the plans. No outside storage of building material, tool or equipment of any type is permitted.

F. LAWN MOWING AND DRIVEWAY SNOW REMOVAL

As a part of the annual assessment fee, all yards will be mowed on a regular basis as controlled by the Board of Trustees of the Association. Landscaping and weeding of flowerbeds is the responsibility of each owner/occupant. Driveway and sidewalk snow

removal shall be done as required and as determined by the Board of Trustees of the Association. Each homeowner is responsible for snow removal when the depth of snow is under two (2) inches.

G. SPICELINE COMMUNITY NEWSPAPER AND NOTIFICATION OF EVENTS

SpiceLine, the community's newspaper, will contain written notice and will be considered official notice to all homeowners of all upcoming general membership meetings and events. [Note: SpiceLine is not currently being published. Notifications to the community are posted on the SpicerEstatesHOA.com website.]

H. NOTICE OF SALE OF PROPERTY

Any homeowner who intends to sell his/her property must notify the Spicer Estates Board of Trustees, in writing, as soon as a decision is made to sell. Failure to provide said notice to the Board of Trustees may result in the contemplated sale not taking place as and when the homeowner may have otherwise anticipated.

I. PARKING OF BOATS, RECREATIONAL AND COMMERCIAL VEHICLES

No boats, trailers, tractors, commercial vehicles, mobile homes, motor homes or campers shall be maintained or parked upon any property located within the Spicer Community unless parked or stored in a garage or closed structure, and in accordance with municipal regulations. In no event, shall said boats, trailers, tractors, commercial vehicles, mobile homes, motor homes or campers be visible from the street. Daytime parking of commercial vehicles owned and operated by persons other than the homeowners shall, however, be permitted in conjunction with the providing of services to that homeowner. In no event, shall these commercial vehicles remain parked on the street for a period of time exceeding the length of the service provided.

J. PERMITTED FOUNDATION COLORS

The color of the foundation for each individual property shall either be white or match the color of the siding installed on the property.

K. GARAGE DOORS

The color of the garage doors for each individual property shall either be white or match the color of the siding on the property. The garage doors may contain windows at the top of the garage doors.

L. SIDING, ROOF SHINGLES, ETC.

The original color of choice when each home was purchased must remain the same; i.e., the color of siding, roof shingles, shutters and doors of the home must remain the same. The colors for the shutters and doors are green, burgundy, black, brown, federal blue and Wedgewood blue. The colors for the siding are almond, sand, taupe, gray and white. All paint used was DURON which is now owned by Sherwin Williams and these colors can be purchased at those stores.

M. TRIM AROUND HOME

No changes may be made to the trim around each individual property. The color of the trim must remain white.

N. FENCES, RAILINGS, BRICK WALLS

Consistent with Article VII, Section 1 of the Declaration of Restrictive and Protective Covenants, Easements, Conditions, Charges and Liens for Spicer Estates, no fences of any kind or nature shall be erected. Railings around patios constructed in the rear of a home will be permitted provided the height of the railings does not exceed thirty-six (36) inches, and provided the railings are constructed with either black or white metal, vinyl or wood. Brick walls around patios constructed in the rear of the home will be permitted provided the height of the brick wall does not exceed twenty-four (24) inches from ground. In any event, all railings must be kept in good condition. Live partitions around the patio in the rear of the home, including hedges or bushes, shall be permitted provided said partitions do not exceed four (4) feet in height.

O. PATIOS

Decks and patios will be permitted provided they cannot be seen from the street, and provided they do not exceed the exterior wall line of the house.

P. SATELLITE DISHES

All types of satellite dishes must be installed on the rear of the house and cannot be seen from the street and will not exceed 18" in diameter.

Q. SOLAR PANELS

Solar Panels are permitted on the rear roof of a home in Spicer Estates. Panels must not protrude above roof peak.

All installations must be approved by the SEHOA Board.

Step one is to submit an Application for Exterior Alterations along with the installation design. This will include color and placement of panels on roof, design of concealment of solar collectors structures, fixtures and piping, and the qualifications, certification and insurance requirements of personnel or contractor who may install the solar collectors

If any roof stack needs to be relocated, first the board must approve change and then Township engineer must also give approval.

After installation of panels are approved by the SEHOA Board you must then get all necessary permits from Harrison Township

R. NATURAL GAS FIRED WHOLE HOUSE GENERATORS INSTALLATION

All installations must be first approved by board of Trustees

Step one is to submit an Application for exterior Alterations along with the installation design. This will include Qualification certification of personnel doing the installation and insurance certificate.

The Generator must be installed and bolted down to a concrete pad. The pad must extend out 1' (one foot) around generator.

After installation and design application has been approved by Spicer Estates HOA you then must get all necessary permits from Harrison Township.

After installation is completed and inspected a copy of approval must be submitted to Spicer Estates HOA for our records.

S. POLITICAL SIGNS

Homeowners may place political signs on their property, subject to the following restrictions:

1. Any political sign will be limited to one (1) per household.
2. The sign must be placed in a flowerbed. No signs can be displayed on lawns or curb line.
3. A sign may only be displayed three weeks prior to an election,
4. Homeowners are responsible for removal of sign within 24 hours of the election.

[Passed by Board 2014]

RULE “T” TREE REMOVAL AND REPLACEMENT

1. A Lot owner must submit a written request to the Board of Trustees as required by Rule “A”, either on the HOA website or by mail to the HOA postal address, for permission to remove any tree, to replace any tree, or to plant a new tree.

2. In order to preserve the aesthetic appeal of tree-lined streets in our community, any tree that is or has been removed from between the curb and the sidewalk for any reason, including disease, death, or natural causes, must be replaced by the Lot owner with a tree of the same or similar species within 6 months. The Board may grant an extension of time to replace a tree for good cause upon request of the Lot owner.

3. Each day that a Lot owner fails to replace a tree between the curb and the sidewalk after the 6 month period or any time extended by the Board, is a separate violation subject to a daily fine.

[Passed by Board October 11, 2020]

[NOTE: In addition to the above Rules and Regulations, the Declaration imposes certain additional Lot Restrictions reprinted on the next pages]

DECLARATION

ARTICLE VII: PROTECTIVE COVENANTS

Section 1. Restrictions on Use of Lots.

The following restrictions are imposed as a common scheme upon all Lots:

- (a) If the Owner elects to erect a wall, hedge or mass planting on the Lot, it must not be in conflict with any municipal ordinance(s);
- (b) No tank for storage of gas or liquids may be maintained on any Lot unless reasonable safety precautions are taken, and such tanks are hidden from external view of any other Lot;
- (c) No animals, livestock or poultry of any kind shall be raised, bred or kept in any Living Unit or upon any Lot, except that dogs, cats or other domesticated household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose;
- (d) No garbage, refuse, rubbish or cutting shall be deposited on any Lot, street, sidewalk or parking area but shall be transported by the Owner to the sanitation area designated by the Association;
- (e) No commercial or other non-passenger vehicle of any type and no unlicensed motor vehicles of any type shall be permitted on the Common Area, other than as may be used by the Declarant or Builder, their employees or agents, in conjunction with building operations;
- (f) Motor vehicles shall be parked only in areas provided for that purpose. The parking facilities shall not be used for any other purpose. The Owners, their employees, servants, agents, visitors, licensees and the Owner's families will obey traffic regulations promulgated in the future for the safety, comfort and convenience of the Owners;
- (g) No boats, trailers, tractors, commercial vans, mobile homes, motor homes or campers shall be maintained or parked on any individual or Common Area Lot or street of the herein described Property, unless parked or stored in a closed structure and in accordance with municipal regulations;
- (h) No radio, television or other tower, or antenna or similar structure shall be erected on any part of any Lot covered hereby, except that a radio or television mast or antenna may be placed upon the roof or other part of any dwelling for the reception or transmission of radio or television, provided it does not protrude more than five (5) feet above the highest part of said roof. A "dish" may be installed, if and only if, such "dish" is properly shielded from public view and complies with all municipal ordinances and regulations;
- (i) No noxious, unsightly or offensive activity, including vehicle repairs, shall be conducted on a Lot or on the Common Area, nor shall anything be permitted to be done

thereon which may be or may become an annoyance or nuisance to the Owners or residents of other Lots;

(j) No sign of any kind shall be displayed to the public view on any Lot except one (1) professional sign of not more than (1) square foot, one (1) sign of not more than six (6) square feet advertising the property for sale or rent, signs used by a builder to advertise the property during the construction and sales period and an identity sign with building designation thereon;

(k) No building or structure shall be erected on a Lot, nor shall any alteration of or addition to a Living Unit be made unless such work shall be approved by the proper municipal authorities;

(l) No Owner shall bring any action for partition or division of the Common Area; (m) No Owner shall lease, sell or otherwise transfer his Lot or Living Unit without first complying with the provisions of Article III, Section 5 of this Declaration;

(n) No structure of a temporary character shall be permitted on any Lot or on the Common Area unless approved by the proper municipal authorities;

(o) No Living Unit shall be used except for residential purposes or accessory use as permitted by the applicable ordinance of the Township of Harrison;

(p) No fences of any kind or nature shall be erected;

(q) No aboveground swimming pools shall be permitted;

(r) As a condition of the Planning Board approval for Spicer Estates, street parking shall be limited to one side of the street, the side to be determined by the Township Engineer;

(s) As a condition of the Planning Board approval for Spicer Estates, the dead end future extension of Howey Drive between Lot 104, Block 57.12 and Lot 19, Block 57.17 will be tree-lined on both sides and revert back equally to the lot owners if, at the end of ten years, the right-of-way is not used by Declarant for future development;

(t) As a condition of the Planning Board approval for Spicer Estates, Lots 2 through 7, 34, 36, 41, 43, 47, 81 through 86, 89 and 95 through 104 in Block 57.12 have steep rear yards (greater than 10%), which could render the rear yards to have limited uses;

(u) As a condition of the Planning Board approval for Spicer Estates, the maintenance and repair of the five-foot-high wall along Lots IS, 16 and 17 in Block 57.12 shall be the responsibility of the homeowners of said lots;

(v) As a condition of the Planning Board approval for Spicer Estates, the reverse frontage lots on Howey Drive (Lots 1 through 6, Block 57.18) will have access restrictions to limit direct access onto Howey Drive from the rear of those lots;