

## **PEBBLE CREEK RULES AND REGULATIONS**

Welcome to Pebble Creek:

These are the Rules and Regulations of the Pebble Creek Unit Owners Association, together with some discussion of matters of common interest. These Rules and Regulations apply to all unit owners and tenants accordingly.

Since Pebble Creek is a relatively small association of 42 individual units, we depend heavily on the voluntary services of the residents and members of the Board. We hope that all residents will demonstrate their interest in the community by participating in the care, maintenance and upkeep of the area and assisting the Board in projects which require your cooperation to accomplish.

We particularly urge the unit owners to attend the monthly meeting of the Board held the fourth Monday of each month at the Clubhouse as well as the Annual Meeting which is held on the first Monday in March.

Your observation of our rules will ensure a total living environment most enjoyable for all of us. Should you have questions regarding this information or if the Board can be of assistance in any way, please do not hesitate to call any member of the Board.

The attached issuance of the rules incorporates amended language from the November 28, 2005 Board meeting concerning trash, parking, and payment of fees, from a December, 1988 Board meeting concerning trash, and includes a September, 1993 addendum concerning parking rules and enforcement.

Board of Directors  
Pebble Creek Unit Owners Association

Fall 2005

## THE ASSOCIATION

As a unit owner at Pebble Creek, you are automatically a member of the non-profit organization called "The Pebble Creek Unit Owners Association".

The principal purpose of this Association is to administer the common affairs and property of the individual unit owners. These responsibilities include, but are not limited to:

1. Operating and maintaining the common areas and facilities.
2. Employing personnel necessary for maintenance and operation of common areas and facilities.
3. Providing fire and casualty insurance on the common property and exteriors of all condominium buildings and common property and facilities.

The Association is managed by the Board of Directors elected annually by and from the unit owners. The offices of President, Vice President, Secretary and Treasurer are elected annually by the Board from its members. The list of current Board members and officers is posted at the Clubhouse.

The Annual Meeting of the unit owners is held at 8:00 P.M. on the first Monday of March each year. Each unit owner votes in electing members to the Board for the following year and on issues brought to the meeting by unit owners or the Board of Directors.

The Board of Directors meets monthly. The dates and time are posted at the Clubhouse. Meetings are open to all unit owners and are held at the Clubhouse. In order to bring matters of concern before the Board, unit owners should notify the President of any proposed agenda matter at least one week prior to the monthly meeting and provide any background appropriate for advance preparation.

### ASSOCIATION SERVICES:

The Board of Directors has the responsibility to administer the affairs of the Association according to the Declaration, Bylaws and Articles of Incorporation. The duties of the Board include, but are not limited to:

1. Managing and making available the common recreational facilities for the use and enjoyment of the residents and their guests.
2. Maintaining and improving the common areas.
3. Enforcing the Rules and Regulations so that the enjoyment of all will be enhanced.
4. Maintaining the exterior of all condominium buildings, including painting of trim and siding and normal replacement of roof shingles.
5. Providing casualty and liability insurance for all common property and Association facilities.
6. Reviewing all proposals by unit owners desiring changes or modifications to the exterior of individual units or to any of the common areas.
7. Setting and collecting the common monthly charges for expenses required for the affairs of the Association, the operation and maintenance of the property.
8. Setting and collecting any special assessments which might be required for the affairs of the Association and/or the operation and maintenance of the property.
9. Repair and clearance of blocked and damaged sewer pipes located outside of an individual unit. The Association will pay for cleaning outside blocked/damaged pipes but you **MUST CONTACT A BOARD MEMBER BEFORE CONTRACTING** for repair work.

The Board of Directors prepares an annual budget for the Association and determines the amount of common charges payable by individual unit owners. The common charges are assessed among the unit owners according to their respective interest in the common areas and facilities. The common expenses include:

1. The maintenance of the grounds and the maintenance of the parking lots, roadways, recreational facilities, building exteriors and exterior utility lines.
2. All water and sewer charges for the Association and unit owners.
3. The electric and lighting costs for all common area facilities.

4. The costs for all insurance premiums required for:
  - a. Fire and extended casualty coverage for buildings of Pebble Creek, though not the contents of the individual units
  - b. Liability insurance relative to the administration, use, occupation and operation of Pebble Creek common areas
5. Annual termite inspection and spraying.

#### YOUR OBLIGATIONS

Your principal obligations to the Association are to pay the monthly dues and any assessments and to abide by these Rules and Regulations, all of which stem from the Declaration, the Bylaws and the Articles of Incorporation.

Unit owners are responsible for payment of the monthly dues and special assessments. The charges are due on the 1st of each month. The Board is required to take prompt collection action should any such assessment remain unpaid for more than thirty (30) days. The owner in default is obligated to pay interest and penalty as set by the Board. The name of the owner in default is listed in the Board of Director minutes. In the event of delinquency for a period in excess of ninety (90) days, legal steps shall be taken by the Board as prescribed in the Bylaws.

The Association monthly dues should be made payable to Pebble Creek Association.

sent to:

**COMMUNITY FOCUS OF NC INC  
PO BOX 52395  
Durham, NC 27717**

Unpaid common monthly dues and assessments are a legal lien upon your property title. Obviously, the Association has no interest in a lien on your property, but you must be prompt in payment of common expenses so that your Association can act quickly, smoothly and appropriately in caring for your common property.

## RULES AND REGULATIONS

### COMMON AREA

All the Pebble Creek grounds are known as the "common area" and are owned by the Association. If we are all to share in the enjoyment of the common area, we must have rules to prevent improper and unsightly use of it.

1. Any additions to the landscaping (such as planting trees, flower beds or gardens), must be expressly approved by the Board of Directors. Any normal addition will probably be permitted and approved, but Board clearance is required to ensure uniformity and to protect the rights of each owner.
2. Firewood may **not** be stacked under, on, or near the deck in the rear of the units. Stack no firewood on or near the front decks.
3. No building or structure of a permanent or temporary nature shall be placed on any of the common property at any time. This includes trailers, tents, barns, storage sheds, tree-houses or other similar structure.
4. Unit owners may not place "FOR SALE", "FOR RENT" or other commercial signs in the common area or on individual units without the written permission of the Board of Directors.
5. Nothing should be placed, hung or displayed in any manner on the front of the units, the decks, or elsewhere that is unsightly or inappropriate.
6. No structural, painting or other changes affecting the exterior of a unit may be made without the express approval of the Board of Directors.

### PARKING

The parking lots in Pebble Creek are a part of the common area owned by the Association. Space is available for parking TWO automobiles per unit in the parking lots near the units and are identified by marking at the curb. The following rules govern usage:

1. Residents must park at a 90-degree angle to the curb.
2. If a resident has more than two automobiles, the additional automobile(s) must be parked on American or Constitution Drives. Each resident having more than two automobiles has the responsibility not to infringe upon the rights and space available to other unit owners.

3. If a resident has a social function or visitors at his/her unit or at the Clubhouse, the guests must park in the designated Visitor parking spaces, on American or Constitution Drives, or in the resident's assigned parking spaces. There is not room within Pebble Creek parking lots for a large number of guests. Residents are responsible for ensuring that their guests do not park in a space assigned to another unit.
4. No boats, trailers, larger trucks, mobile homes, etc. may be parked within the condominium area.
5. The parking of bicycles, tricycles, motor scooters or motorcycles, and toys in the walkways and common areas is prohibited.
6. Motor vehicles may not be driven over the sidewalks and curbs into the yard areas, except to park a two-wheeled motor vehicle in the rear of a unit.
7. "Dead" cars shall not be stored on Association property.
8. Any unit owner may allow another unit owner to park an additional automobile in an unused designated parking space which has been assigned to that unit owner.
9. After due notice, any vehicle(s) violating any of the above rules shall be towed at the owner's expense. **(See addendum 1)**

## UNITS

Because condominium units are attached housing, each resident has a special responsibility to be respectful of the rights and privacy of fellow residents. Common sense and courtesy should dictate appropriate conduct; however, the following rules are necessary:

1. No immoral, improper, offensive or unlawful use shall be made of condominium property nor any part of it, and all valid laws, zoning ordinances and regulations of all governmental bodies having jurisdiction shall be observed.
2. No unit may be used for any commercial or professional purpose and no professional person may maintain a public office in any unit. However, this will not restrict the use of a unit by the resident for his/her own private office not connected with visits from patients, clients, or members of the public.
3. Music and noise levels should be kept to a minimum so as not to disturb your neighbors.

4. Recycle and solid waste is collected by the City each Thursday (except when holidays fall on that day). All solid waste should be placed in roll-out trash cans provided by the City per City ordinance. The roll-out trash cans in the two designated corrals can be used.

The City permits and will provide a trash cart for an individual unit (60 or 90 gal size) if the Unit Owner requests one from the City. Trash carts at individual units must be kept in the rear of the unit or inside the unit. Individual owner's roll-out trash must be placed in front of your unit on the sidewalk on collection day for pickup on designated collection days.

Recycle waste is collected by the City on Thursdays in the morning (except when holidays fall on that day). All material for recycling should be placed in the blue container provided by the City. This should be placed on the sidewalk in front of your unit on Thursday morning for pickup. Large items such as large cardboard boxes should be placed on the sidewalk in front of the unit on collection days.

The roll-out trash cans kept privately by individuals and the blue recycling containers are not to be kept or remain on your front deck, porch, sidewalk or in any other area in the front of your unit. They create unsightly eyesores. The homeowners association will remove and dispose of any roll-out trash cans and blue recycling containers without prior notice to the offending unit owner. Trash containers should be closed securely, so that the contents cannot fall out or be blown-away.

Special problems should be taken up with the City's Department of General Services, Sanitation Division.

## PETS

1. No animals or pets other than usual household pets are permitted, especially those which might be dangerous or unpleasant to other residents.
2. Pets are welcome at Pebble Creek on the following terms:
  - a. Dogs will not be allowed out of the resident's unit unless accompanied by the resident and on a leash.
  - b. All pets will be "walked" away from the residential areas, parking lots and common areas and curbed only in the gutter along American or Constitution Drives or in the wooded areas well away from the residential common facilities.
  - c. Each resident must clean up the common area around his/her unit or another unit which has been marred by his/her pet.

- d. Any damages to buildings or common areas will be the full responsibility of the unit owner, who must pay the cost of restoring any damaged area.
- e. The resident or unit owner will be expected to put his/her pet out to board at his/her own expense should it be necessary because of excessive noise, barking, unsanitary or odorous conditions or failure to correct conditions noted by the Board of Directors.

### CLUBHOUSE

In order to make the most comfortable use of the Clubhouse, the following rules shall be carefully observed:

1. Each unit owner is provided a key to the Clubhouse and another key which serves both the pool area and the tennis courts. Residents must ensure that all doors and gates are securely locked after using the facilities.
2. All residents are expected to treat the Clubhouse facilities and furnishings as if they were part of their own homes. Damage beyond normal wear and tear is the financial responsibility of the unit owner whose presence or guests have caused any damage.
3. Exclusive use of the Clubhouse for entertainment purposes shall be arranged through the designated Association member noted on the listing on the bulletin board in the Clubhouse. Two weeks advance notice is preferable. Please do not mark directly on the Clubhouse calendar, but make reservations as indicated above. When a conflict exists between two or more residents concerning a particular date, the first request shall have scheduling priority.
4. The sponsoring resident must be present at all times during sponsored functions held at the Clubhouse. The sponsoring resident and unit owner shall be responsible for the behavior of all guests invited to the function.
5. All residents sponsoring parties must observe common sense rules concerning noise especially after 11:00 P.M. and particularly around the pool.
6. The resident using the Clubhouse shall return the facility, including the pool area, to order no later than 10:00 A.M. on the day following an evening event or within a reasonable time immediately following a daytime event. Furniture shall be returned to original positions, all property cleaned and returned to order and all trash placed in proper receptacles. The refrigerator and stove shall be cleaned if used.
7. The resident using the Clubhouse shall turn off the saunas, the heat or air-conditioning, the lights and lock-up after using the Clubhouse.



## POOL AND TENNIS COURTS

The recreational facilities are intended for the unit owners and their guests. We encourage use by a limited number of guests but space for large numbers is not available. Common sense use of the guest privilege shall be the rule. If the pool is virtually empty, a resident may bring in several guests for swimming. If the pool is already crowded, the resident should not bring in a number of guests such that the facility would be overcrowded. Residents should observe the following:

1. Giving carte blanche permission for Durham area friends to use the pool at will is not permitted. A resident must be in attendance with guest at all times.
2. There is no lifeguard on duty at the pool. You and your guests use the facility at your own risk. Residents must use care when swimming alone. Residents are responsible for the use of the pool and Clubhouse by children and guests and are responsible for their conduct and safety.
3. Resident children under the age of fourteen (14) shall not use the pool without adult supervision unless a parent has written the Board of Directors stating the child has permission to do so.
4. No animals are permitted inside the fence of the pool area or tennis courts.
5. Paper or plastic glasses are permitted on the concrete surrounding the pool, but no glass or breakable items are permitted at any time.
6. Radios are permitted at the pool but should be played at low volume.
7. If the pool is used after dark, it is requested that it is no later than 11:00 P.M.; that the number of guests will be limited, noise minimized, and care taken in turning off lights and locking the Clubhouse and gate on departure.

It has not proven necessary to require tennis court reservations, but, as in other areas, residents' needs must take priority over those of guests.

1. Regulation tennis shoes are required on the courts.
2. When guests are occupying a tennis court and residents are waiting to play, the guests shall give up use of the court to residents.
3. Players must close and lock the gates on completion of play.

## RECOMMENDATIONS

There are some matters of common concern about which Pebble Creek has no rigid rules but about which the Board of Directors would like to offer information:

1. SECURITY. There is no master key to the units. Each resident is responsible for his own home. In case of a lock-out, a locksmith is the only answer, unless you make arrangements with a neighbor to keep a key for you. This procedure is considered desirable. Neighborly awareness can come into play in case of suspected break-ins, fire, broken water pipes, etc. Should you be out of town during any such calamity, it will help the Association if one of the neighbors has access to the unit. In any case, it is obviously wise to notify your immediate neighbors if you expect to be away for an extended period, and ask them to pick up your newspapers, etc.

The Police very strongly recommend: that each front door have an auxiliary deadbolt lock as well as the knob lock; that each front door have a wide-angle peephole; that sliding glass doors be secured with supplemental locks; that each unit be equipped with smoke detectors and intruder detectors; that you leave parked cars locked; that you inventory and indelibly mark your valuables. More information as well as printed material about these measures may be obtained from the Crime Prevention Division of the Durham Public Safety Department.

2. POST OFFICE BOXES. The U. S. Post Office has provided each unit owner with keys to their appointed post office box. In the event you misplace or lose your key, the U. S. Post Office must issue you another key(s). If your box lock becomes damaged or the lock is not working properly, you should contact the U. S. Post Office. Outgoing mail should be placed at the back of your box for pickup by postman.

PEBBLE CREEK ASSOCIATION  
Rules and Regulations

Addendum 1

TO: ALL OWNERS/RESIDENTS

FROM: Board of Directors

Date: November 28, 2005

**RE: PARKING RULES**

At the August 23, 1993 Board of Directors meeting as amended at the November 28, 2005 meeting, the following procedures were implemented, to be effective immediately:

Any Board member who is contacted regarding parking violations at Pebble Creek will follow these procedures consistently:

1. Investigate and ascertain if violation is evident and notify owner of car in violation either by telephone or by 'courtesy' written notice on windshield (sample copy attached). Although not reported, should a Board member observe that a violation exists, they will implement these procedures as routine.
2. If a 'courtesy' written notice on windshield is used, the Board member will record the date, time of action, car license and description in writing and advise the Board at the next Board meeting.
3. If a car in violation constitutes a second violation report, the vehicle will be towed without notice immediately- to owner at owner's expense and will advise Board at next Board meeting. .

Towing Service Used: TRIPLETT'S TOWING SERVICE: 683-1968 (sample copy of form attached)

NOTE: Triplett's requires form signed by Board member authorizing them to remove car from premises.

Any Board member taking action for parking violations has full authority to act independently by the Board of Directors.

Notes: Any car (owner or visitor) parked in visitor space for an extended period of time (By Board definition, an 'extended period of time' means in excess of one week) will be investigated in the same manner. Any car visiting a resident for an extended period of time must park on the street or in one of the owner's two designated parking spots; otherwise they will be towed at owner's expense.

Any owner who permits visitors to use either of their assigned parking spaces may park in a visitor space 'temporarily' (By Board definition, 'temporarily' means no more than one night). Any use over one night of a visitor space requires that owner(s) park on the street to free up visitor space.

\* \* \*

All residents are expected to follow the parking rules and regulations as attached hereto routinely, If you are aware of any parking violations, please contact a Board member promptly for proper action. It is important all parking violations be dealt with in a consistent manner as set forth above. Hopefully, with your cooperation, we can resolve these parking problems with these procedures. Please keep these procedures readily available for reference, If you have any questions, please contact any Board member. Thank you.

**PEBBLE CREEK ASSOCIATION**

**PARKING VIOLATION NOTICE**

DATE OF NOTIFICATION: \_\_\_\_\_

TYPE OF AUTOMOBILE: \_\_\_\_\_

LICENSE PLATE #: \_\_\_\_\_

To whom it may concern:

You are hereby notified that the manner in which this vehicle is parked violates the parking rules and regulations of Pebble Creek. A copy of the appropriate section of the rules and regulations is attached hereto. If this or similar violations continues to occur in the future, this vehicle will be towed at owners expense without further notification.

Board of Directors

Attachment

PEBBLE CREEK ASSOCIATION  
Constitution Drive  
Durham, NC 27705

Mr. David Triplett  
Triplett's Towing Service  
111 Arvin Road  
Durham, NC 27704

Dear Mr. Triplett:

As a member of the Board of Directors of Pebble Creek Association, I hereby authorize you or your employee to tow the vehicle listed below for repeated parking violation. This action is approved by the Board and is in conjunction with the Association's rules and regulations regarding parking in unauthorized spaces. The expense of this action is the sole responsibility of the vehicle owner and not the Association.

Vehicle: \_\_\_\_\_ License #: \_\_\_\_\_  
\_\_\_\_\_

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Sincerely,

PEBBLE CREEK ASSOCIATION

By \_\_\_\_\_