

# CANAAN

*at the Noles*



**HANDBOOK**

OCTOBER 2010

## Our History

In 2004, the Tannenbaum family of Greensboro sold their multi-acre property to several builders in our area for development and construction of individual homes. Jeanne Tannenbaum retained the family home plus 6 acres and continues to live on the property. Dwight Stone of D. Stone Builders, Inc. began development of our condominium community with the incorporation of Canaan at the Noles Condominium Association, Inc. in 2005.

Groundbreaking at Canaan at the Noles took place with 59 units planned, both individual and twin homes. Construction first began at the Willett Way circle and the first “official” residents of Canaan were Will & Betty Hobbs at 10 Willett Way, who moved in 2006. The last Canaan homes were completed at the end of 2010. Names for our streets came from Dwight Stone who used the name Canaan from the Bible which is appropriately the “Promised Land”, Willett Way for John Willett, a minister friend, and Roldan Lane for business associate Joe Gonzales’ mother.

The Canaan at the Noles Homeowners’ Association was originally controlled by D. Stone Builders during development stages and construction until January 2010 when  $\frac{3}{4}$  of the homes had been completed and sold. The Association was officially turned over to the residents and the first Board of Directors was elected at that time. Committees were formed and initial decisions were made and implemented.

Today, our neighborhood continues to be a congenial, welcoming community, and we will have many years to enjoy our special place. Welcome to all!

<b>OWNERSHIP, INSURANCE, MANAGEMENT AND MAINTENANCE.....</b>	<b>3</b>
<b>OWNERSHIP .....</b>	<b>3</b>
<b>YOUR UNIT .....</b>	<b>3</b>
<b>COMMON ELEMENTS AND LIMITED COMMON ELEMENTS.....</b>	<b>4</b>
<b>INSURANCE .....</b>	<b>5</b>
<b>MANAGEMENT .....</b>	<b>7</b>
<b>MAINTENANCE .....</b>	<b>8</b>
<b>GOVERNMENT AND FINANCE.....</b>	<b>9</b>
<b>GOVERNING DOCUMENTS .....</b>	<b>9</b>
<b>THE BOARD OF DIRECTORS .....</b>	<b>10</b>
<b>RUNNING FOR THE BOARD .....</b>	<b>10</b>
<b>POWERS AND DUTIES .....</b>	<b>10</b>
<b>ANNUAL BUDGET.....</b>	<b>11</b>
<b>BYLAWS, POLICIES, RULES AND REGULATIONS .....</b>	<b>12</b>
<b>ANNUAL MEETING.....</b>	<b>12</b>
<b>ASSOCIATION DUES AND FEES .....</b>	<b>13</b>
<b>SPECIAL ASSESSMENTS .....</b>	<b>14</b>
<b>SERVICES.....</b>	<b>15</b>
<b>LANDSCAPE AND LAWN MAINTENANCE.....</b>	<b>15</b>
<b>REPAIR OR MAINTENANCE .....</b>	<b>15</b>
<b>SNOW REMOVAL.....</b>	<b>15</b>
<b>STREETS.....</b>	<b>16</b>
<b>GETTING INVOLVED: COMMITTEES.....</b>	<b>17</b>
<b>ARCHITECTURAL REVIEW COMMITTEE .....</b>	<b>17</b>
<b>LANDSCAPING COMMITTEE.....</b>	<b>18</b>
<b>SOCIAL COMMITTEE .....</b>	<b>19</b>
<b>NEWSLETTER COMMITTEE.....</b>	<b>19</b>
<b>ASSOCIATION POLICIES AND REGULATIONS .....</b>	<b>20</b>
<b>ACCESS TO UNITS .....</b>	<b>20</b>
<b>ARCHITECTURAL OR LANDSCAPING CHANGES.....</b>	<b>21</b>
<b>AWNINGS AND CLOTHES LINES .....</b>	<b>21</b>
<b>ENTRANCES, STEPS AND SIDEWALKS, OBSTRUCTION OF .....</b>	<b>22</b>
<b>EXTERIOR DOORS, ELECTRICAL OUTLETS, LIGHTING FIXTURES, OUTDOOR FANS AND VENTS.....</b>	<b>22</b>
<b>FLAGS, DISPLAY OF .....</b>	<b>22</b>
<b>GRILLS AND OTHER OUTDOOR COOKING APPLIANCES .....</b>	<b>23</b>
<b>HEATING AND AIR CONDITIONING LINES (HVAC) .....</b>	<b>23</b>
<b>HOLIDAY DECORATIONS.....</b>	<b>24</b>
<b>LEASING OF YOUR UNIT.....</b>	<b>25</b>
<b>NOISE .....</b>	<b>25</b>
<b>ODORS.....</b>	<b>26</b>
<b>PARKING .....</b>	<b>26</b>

**PEST CONTROL**.....27  
**PETS** .....28  
**PLANTINGS**.....29  
**PLUMBING AND SEWER LINES** .....30  
**SIGNS**.....30  
**OUTDOOR RECREATION**.....32  
**SOLICITATION**.....32  
**SPEED LIMIT** .....33  
**STORAGE AND TEMPORARY STRUCTURES** .....33  
**THERMOSTATS**.....33  
**TRASH/RECYCLING** .....34  
**USE OF UNITS**.....34  
**VEGETABLE GARDENS** .....35  
**VEHICLE MAINTENANCE AND REPAIR** .....35  
**VIOLATIONS AND ENFORCEMENT**.....35  
**WATER FAUCETS**.....36  
**WINDOW AIR CONDITIONERS**.....36  
**WINDOW REPLACEMENTS** .....37  
**WINDOW TREATMENTS**.....37  
**YARD ART**.....37  
**YARD/GARAGE SALES** .....38  
**DISCLAIMER** .....39  
**APPENDIX** .....40  
**MANAGEMENT AGENT CONTACT INFORMATION** .....40  
**MAINTENANCE**.....40  
**ARCHITECTURAL MODIFICATION REQUEST FORM**.....43  
**LANDSCAPE MODIFICATION REQUEST FORM**.....43

# Ownership, Insurance, Management and Maintenance

## Ownership

Details of condominium ownership can be found in the Declaration of Condominium - a document that you should have received from your attorney when you closed on your home. Below is a summary of the information contained in the Declaration. Please remember that the most current Declaration always overrides anything written in this handbook, so always consult it for the final word. Each Unit Owner should read and be familiar with the Bylaws and Declaration and be sure he/she follows all rules and regulations.

## Your Unit

You are the sole owner of your Unit. You have a deed just like the owner of a single-family home. You own the interior of your Unit from the sheetrock of the walls to the sheetrock of the ceiling and the floors. You **do not own** the space:

- Beneath the subflooring materials of all floors;
- Beneath the interior surfacing material of all perimeter walls, interior bearing walls and/or bearing partitions (these are the cinder block walls separating the units in the twin homes);

- Above the interior surface material of the ceilings.

You own pipes, ducts, wires, conduits and other such items from the point they enter the interior surface of the Unit. You also own the heating and air conditioning units associated with your Unit.

There is a patio located immediately to the rear of each Unit and a covered porch located immediately to the front of each Unit. Such patios and porches are a part of the respective Units to which they are attached.

## **Common Elements and Limited Common Elements**

You also own an allocated interest in the Common Elements of the Condominium Association. The amount of this interest varies based on the number of units in the Association and is calculated by dividing one by the number of units in the Association. **Common Elements** include all of the real property, improvements and facilities within the Association other than the Units and all personal property held and maintained for the use and enjoyment of all the Unit Owners. Common Elements include all of the grassy and landscaped areas on Association property including front yards, side yards and back yards.

Certain portions of the Common Elements are reserved for the use of a particular Unit or Units to the exclusion of other Units and are designated as **Limited Common Elements**. Any common expense

associated with the maintenance, repair or replacement of Limited Common Elements will be assessed against the Unit to which the Limited Common Element is assigned. Limited Common Elements include:

- Shutters
- Window boxes
- Doorsteps
- Stoops
- All exterior doors
- Window frames and panes

## **Insurance**

Insuring a condominium is very different from insuring a typical home because you do not own the entire building or the common areas. Unlike covering a single-family home, condominium insurance requires two separate policies. The Association maintains one policy - the Master Policy - and the Unit Owner maintains the other - the Personal Policy (an HO-6 Policy).

The master policy is purchased and maintained by the Association and is paid for with the monthly Association dues. It covers physical damage such as fire, vandalism, and wind to the structures and common elements and liability in the common areas. The master

policy covers replacement of individual Units as they were originally built. Any additions or changes since the Unit was purchased from the builder must be insured by the Unit Owner. Information regarding the master policy is available on the Management Company's website or may be obtained by calling the Management Agent. The master policy contains a deductible per loss for replacement/repair of property damage. The Association is responsible for this deductible.

Personal policies are purchased by the Unit Owners. The Association recommends that each Unit Owner obtain an HO-6 policy to cover the personal property within each Unit such as furniture, clothes, kitchen supplies, etc., and an amount for dwelling coverage to cover porches and patios and other items of real property that the Unit Owner is responsible for in the Declaration. The policy should also cover replacement/repair of damage to any additions or changes to the structure of the property that were made since the Unit was purchased from the builder as the master policy does not cover these items. The Association also recommends each Unit Owner maintain liability insurance and loss assessment coverage. All of these coverages are a normal part of the HO-6 policy. The Unit Owner chooses the limits of the coverages. Each Unit Owner's insurance agent should review the Declaration to make sure he/she is properly covered.



## Management

The Association retains a professional management company (see Appendix for contact information including website) to operate the condominium in accordance with the Declaration and Bylaws. The management agent is responsible for day-to-day operations under the supervision of the Board of Directors. The Management Agent's responsibilities include:

- Collecting Association dues and assessments
- Paying Association expenses
- Preparing Association budgets and periodic financial reports
- Responding to requests for general repairs and maintenance of building exteriors, grounds and street lights
- Receiving requests for architectural changes and landscape plantings

The management company's website provides Unit Owners with resources related to the Association including the most up-to-date version of this handbook, information on paying Association dues, the Declaration and Bylaws, request forms for architectural and landscaping changes and other information.

## **Maintenance**

There is a division of responsibility for maintenance of the property between the Unit Owners and the Association. In general, the maintenance of the Common Elements as described above is the responsibility of the Association, and the maintenance of the Unit as defined above is the responsibility of the Unit Owner.

Maintenance of the Common Elements required because of the negligence or wrongful act of a Unit Owner (or family, tenants, visitors, or guests of the Unit Owner) will be performed by the Association at the expense of the Unit Owner.

A chart of maintenance responsibilities is included in the Appendix to this handbook. For any items not included on the list, please contact the Management Agent to discuss.

# Government and Finance

## Governing Documents

The Association was established by and operates under two legal documents - the Declaration of Condominium and Bylaws - which were set forth to comply with the requirements of the North Carolina Condominium Act, Chapter 47C of the General Statutes of the State of North Carolina. The Declaration established Canaan at the Noles Condominium as a Condominium and identified Units and Common Elements and their respective locations. The Declaration and the Bylaws are the condominium's essential governing documents, which establish the mutual obligations of Unit Owners and the Association. Changes to the Bylaws may only be made after an affirmative vote of a majority of the Board of Directors and by an affirmative vote of seventy percent (70%) of the Unit Owners. Changes to the Declaration must be approved by ninety percent (90%) of the Unit Owners.

Each Unit Owner should have received a copy of the Declaration and the Bylaws at the closing of his/her Unit and should refer to them when considering any changes to the inside or outside of his/her Unit. The Declaration and Bylaws are also available on the Management Company's website. A hard copy can be requested through the Management Agent.

## **The Board of Directors**

The Canaan Association is governed by a seven (7)-member Board of Directors that is elected by the Unit Owners. The Bylaws allow the Board to be between five and nine members as determined by the Board at any point in time. Directors serve staggered terms to ensure continuity and are elected annually from the candidates nominated at the annual meeting.

## **Running for the Board**

Any Unit Owner whose dues, fines or assessments, if any, are not delinquent can be nominated or can nominate himself/herself to be elected to the Board.

## **Powers and Duties**

Primary responsibilities of the Board include:

- Adopting the annual budget
- Overseeing finances
- Retaining a management agent
- Approving contracts for services and supplies
- Adopting and overseeing enforcement of policies and rules
- Making, levying and collecting dues and assessments
- Electing officers
- Handling appeals from Unit Owners regarding committee decisions

## **Annual Budget**

The Board adopts a budget for the fiscal year that runs from January 1 through December 31 which must be ratified by the majority of Unit Owners. Revenues are derived primarily from monthly dues. Expenses are derived from contracts between the Association and certain vendors and other expected expenditures for the budget period.

The budget includes a capital reserve fund that will be used to pay for future maintenance, repair and/or replacement of certain of the Common Elements.

## **Bylaws, Policies, Rules and Regulations**

Most policies and rules for the Association were outlined in the Declaration and Bylaws when the Condominium was created. These documents also grant the Association the power to create and modify rules through the Board of Directors. All Unit Owners and residents are responsible for understanding and abiding by the Declaration, Bylaws, Policies and the Rules and Regulations outlined by this handbook or in any communication from the Board of Directors or the Management Agent. These restrictions are necessary to maintain the appearance, property values and pleasant lifestyle of the neighborhood. In the event that a Unit Owner leases or sells his/her Unit, it is the Unit Owner's responsibility to provide the tenant or purchaser the documents necessary to comply with the rules of the neighborhood, and it is ultimately the Unit Owner's responsibility to ensure that the tenant follows these rules. Copies of these documents can be obtained by contacting the Management Company or by visiting its website.

## **Annual Meeting**

At the annual meeting, a summary of the year's activities is given to the Unit Owners, and new Directors for the coming year are nominated and elected. All Unit Owners are encouraged to attend and to vote. At other times during the year, special meetings can be held as called by the President, Vice President or a majority of the Board. In either case, a written notification of the date, time and location of the meeting is

sent to each Unit Owner at least 10 days in advance of the meeting, with notification of any other business that will be transacted at the meeting and a proxy to return if the Unit Owner cannot attend.

## **Association Dues and Fees**

Association dues are based on the operating needs of the Association and an assessment of the funds needed for capital reserves. A proposed budget is prepared in the fall of each year and the Association dues are set to cover anticipated operating expenses and capital reserves for long-term major expenses such as painting, paving, roofing, major landscaping, grounds improvements, damage, etc. The Board of Directors may increase the annual dues by a maximum of 10% over the then current dues per year without a vote of the Association.

Association dues are to be paid monthly and are collected by the Management Agent. The Management Agent will advise Unit Owners of the amount of monthly dues and will provide 45 days notice of any changes to the dues. The Association dues are due on the 1st of each month and will be considered delinquent 30 days thereafter. Late penalties may apply as defined by the Board.

## **Special Assessments**

In addition to the monthly Association dues, the Board may levy in any year a special assessment applicable to that year. The assessment may only be for the purpose of defraying the cost of construction, reconstruction, repair or replacement of the common elements, which include buildings and streets. A vote of approval by two-thirds of the Association's voting members must be obtained for the Board to levy a special assessment.



## **Services**

### **Landscape and Lawn Maintenance**

The Association hires a landscaping contractor to maintain our common grounds. This service includes maintenance of the grassy areas and the planting, seasonal weeding and putting down pine needles as instructed by the Board of Directors. The Association maintains a sprinkler system that waters common grassy areas and a drip system that waters front yard plantings from spring through fall each year. If you identify any landscaping, drainage, sprinkler, soaker hose or erosion issue, please contact the Management Agent.

### **Repair or Maintenance**

Residents should contact the Management Agent in writing to request repairs or maintenance for any Common Element/Limited Common Element including building repair or landscaping issues.

### **Snow Removal**

The Association hires a contractor for snow removal from the streets when necessary. Unit Owners are responsible for clearing their own driveways, patios and sidewalks as they see fit. Unit Owners should not use salt or commercial deicer products on the walkways or driveways as they will damage the concrete and brick.

## **Streets**

The streets in Canaan at the Noles are private and are maintained by the Association, not by the city. If you identify any problems with the streets or street signs, please contact the Management Agent.

## **Getting Involved: Committees**

Unit Owners have the opportunity to be involved in the governance and future of Canaan at the Noles. Without your participation, there can be no Board of Directors, no Committees and no self-management of our funds.

The Association has four committees - Architectural Review, Landscaping, Social and Newsletter. Unit Owners are encouraged to serve on these committees. The Board of Directors determines the size of each committee, so any request to join one should be made to the Board. Additionally, when a spot is open on a committee, the Board will send out a notice to the Unit Owners asking for volunteers. Below is a description of each committee's responsibilities.

### **Architectural Review Committee**

Canaan at the Noles is a neighborhood harmonious in style, color and vegetation. To ensure that we may all continue to enjoy the community, an Architectural Review Committee is called for in the Declaration and Bylaws. This committee has the responsibility to receive applications and render approval or disapproval of any work within the community which alters the exterior appearance of any structure or lot.

No building or structure being built or constructed shall be erected or altered without the prior written approval of the Architectural Review Committee. No work which in anyway alters the exterior appearance of any structure, lot or Unit may be performed without prior written approval of the Architectural Review Committee. In obtaining said written approval, an owner shall comply with all applicable requirements and procedures.

To request approval of an improvement or change, Unit Owners must complete an Architectural Modification Request form and submit it to the Management Agent who will forward it to the Architectural Review Committee for approval. This form is included in the Appendix and can be found on the Management Agent's website.

## **Landscaping Committee**

The Landscaping Committee is made up of volunteers who provide input into the plantings and maintenance of the grounds. The Committee is responsible for determining the plantings that are included in the neighborhood and recommending to the Board a landscaping contractor. The committee also approves any plantings by Unit Owners. If you would like to install any plantings around your Unit, you must submit a Landscape Modification Request form to the Management Agent who will pass it to the Landscaping Committee.

The Landscaping Committee will approve or disapprove the request and inform you of the decision. The form is included in the Appendix and can also be found on the Management Agent's website.

## **Social Committee**

This committee is responsible for planning and encouraging neighborhood events and developing, if desired, a community watch program.

## **Newsletter Committee**

This committee is responsible for producing a periodic newsletter containing important information about the neighborhood and the Association with input from the Board of Directors and the other committees.

## **Association Policies and Regulations**

To ensure a harmonious life style throughout the neighborhood, the Board of Directors has adopted a variety of policies and regulations consistent with the Declaration and Bylaws. As a Unit Owner, you are responsible for ensuring that your family members and guests abide by them. Violations are subject to penalties as described herein. If you have any questions, please call the Management Agent or any Board member.

### **Access to Units**

As required in the Declaration, the Board or Management Agent may access the interior or crawlspace of your Unit in case of an emergency. If you have provided the necessary contact name and phone number, the Board or Management Agent will call you or your representative to gain access. If no one can be reached, a locksmith will be called at the Unit Owner's expense.

In the case of a nonemergency, the Board or Management Agent will call or send notice of the need to enter your Unit and make the necessary arrangements with you.

## **Architectural or Landscaping Changes**

The Declaration specifies that structural alterations to the interior or exterior of a Unit, or landscaping alterations to the Common Areas, requires the advance approval of the Architectural Review Committee or the Landscaping Committee who reviews the Unit Owner's written request. See the Appendix for the Architectural Modification Request form and the Landscaping Modification Request form. Only the Unit Owner may submit these forms.

Common requests include: interior renovations that involve moving an existing wall or cutting a hole in an interior stud wall or in the exterior brick; installing new HVAC equipment or generators; replacing an exterior door; installing a storm door or window screens; or planting trees, shrubs, flowers or any other plants in common areas.

## **Awnings and Clothes Lines**

Installation of all types of exterior awnings and the use of exterior clothes dryers or clothes lines are prohibited.

## **Entrances, Steps and Sidewalks, Obstruction of**

As stated in the Bylaws, all of the sidewalks, entrances and stairways of the Units may not be used for any purpose other than coming or going.

## **Exterior Doors, Electrical Outlets, Lighting Fixtures, Outdoor Fans and Vents**

The Association provides for the painting of all exterior unit doors on a schedule approved by the Board. For other changes to existing exterior doors or the installation of new doors, including the installation of storm doors, see the section **Architectural or Landscaping Changes** and the Appendix. Likewise, for changes to existing, or installation of new, exterior electrical outlets, lighting fixtures, outdoor fans and vents, refer to this same section.

## **Flags, Display of**

Flags should be appropriate for the community and considerate of other neighbors. The Board of Directors may request that flags that do not meet these guidelines are removed. General guidelines for flag display are as follows:



- One flag on a decorative stake, known as a Garden Flag, can be displayed in Common Elements around the Owner's Unit as long as it is placed in the pine needles. Display in any other part of the Common Elements must be submitted to the Landscaping Committee for approval.
- Flags may not be hung outside the Unit from windows.
- The American and North Carolina state flags can be displayed as allowed by law under the NC Planned Community Act.

Special rules apply to flags displayed for Holidays. See the Holiday Decorations section for more information.

## **Grills and Other Outdoor Cooking Appliances**

All types of gas and charcoal grills and other outdoor cooking appliances are prohibited from use on covered or screened porches. A Unit Owner uses one of these appliances at his/her own risk. Due to smoke and/or cooking odors, the Owner should also make sure that the grill or other outdoor cooking appliance is an appropriate distance from the adjacent Unit.

## **Heating and Air Conditioning Lines (HVAC)**

Replacement of HVAC lines does not require a variance if the lines are run through an existing building penetration. Otherwise, a Unit Owner must request a variance.

## **Holiday Decorations**

Decorative holiday seasonal lighting (e.g., Christmas lights) may only be installed during the holiday season and at the holiday season's conclusion must be removed. Holiday decorations must be appropriate for the community and considerate of other neighbors. The Board may request that decorations not meeting these guidelines be removed.

Holiday decorations, including flags, can be displayed no more than two weeks prior to the holiday and must be removed within seven days following the holiday. The exception is Christmas decorations, which can be displayed as early as the Friday following Thanksgiving and must be removed no later than two weeks following Christmas Day.

## **Leasing of Your Unit**

Any lease or rental agreement for a Unit must be for a period of at least thirty (30) days and must be in writing, unless the prior written approval of the Board is obtained. Unit Owners intending to lease their Units must provide the Management Agent and the Board of Directors with the Unit Owner's new address and phone number. The Unit Owner must also provide the Management Agent and the Board of Directors with the name and phone number of the tenants residing in the unit and a copy of the lease. The lease must include a clause that tenants will comply with the Declaration, Bylaws and other rules. Unit Owners are responsible for the actions of their tenants. Even if a Unit is leased, the Unit Owner is still responsible for payment of the Association dues and/or assessments against the Unit.

## **Noise**

Every Unit Owner has the right to quiet enjoyment of his or her property. Generally, residents should be considerate of their neighbors at all times and particularly during nighttime hours, 10 p.m. to 7 a.m. Unreasonable noises or actions (i.e. loud music and barking dogs) or any other nuisance or illegal activity will not be permitted.

## **Odors**

Residents shall not cause or permit any objectionable odors to be produced upon or emanate from their Units.

## **Parking**

Each Unit has an attached garage and a driveway for parking. Unit Owners must park their vehicles in their garages and driveways. Parking on the street should be limited to guests. At no time should Unit Owners or their guests obstruct driveways, fire hydrants, mailboxes, or streets. For safety purposes, when Unit Owners have multiple guests, the Unit Owners must tell their guests to park on only one side of the street.

Trailers, motor homes, campers, boats, jet skis, ATVs, large trucks, oversized commercial or construction vehicles or inoperable or unlicensed motor vehicles are not to be parked or stored outdoors within the community. Temporary parking of such vehicles is permitted when necessary such as moving trucks parked during loading or unloading. This type of temporary parking should be a rare occurrence and Unit Owners can be asked by the Board of Directors to discontinue this practice if it becomes a regular occurrence.

Repeat violators of the parking rules and those continuing to park improperly can be fined.

## **Pest Control**

Unit Owners should be vigilant and contact the Management Agent if they see an opening in a condo that may allow pests (insects, mice, squirrels, birds, etc.) to enter. The Association is responsible for securing the exterior of the buildings and for repairing all damage done by termites. The Unit Owner is responsible for securing and treating the interior against pests inside the home, and for any damages inside (except for that caused by termites). During construction all condos were installed with pest tubes for easy outside access to inject granulates that are both pet and human friendly. If a Unit develops a pest problem that is not immediately corrected by the Unit Owner, the Association has the right to exterminate the pest(s) at the Unit Owner's expense.

As an additional note, pine needles are used in the bed areas at Canaan at the Noles because mulch coming in contact with outside wood surfaces encourages termites.

## **Pets**

No animals other than common household pets may be kept or maintained in any Unit, and no more than three (3) common household pets may be kept or maintained in any one Unit. Pet owners and their guests are responsible for their pets. Pets are not allowed to be unleashed in the Canaan at the Noles community as defined in Greensboro's leash laws. Pet owners are required to clean up immediately after their pets, regardless of the location. In addition, pet owners should insure that their pets do not urinate on the flowers or shrubbery planted throughout common areas. Owners will be held liable for damage caused by their pets. Owners should not allow their pets to use the grass or areas with pine needles that are immediately adjacent to another resident's home.

Chaining or tying animals to trees or stakes in the common areas is not permitted. Any Unit Owner in Canaan at the Noles has the right to request Animal Control services from the City of Greensboro if any resident sees violations of City or County animal control requirements.

## Plantings

The Association is responsible for the care and maintenance of all plants and trees in common areas. These plantings include those in the front of each Unit that were growing there at closing. The Association provides scheduled pruning of these plants and trees, and any necessary replacement. The annuals by each mailbox are removed and replanted in the spring and fall by the Association. The Unit Owner is not allowed to add any shrubs, flowers, trees or any other plants in front of his/her Unit unless approved by the Landscaping Committee.

Along the foundation at the side(s) and back of each Unit or twin home are mulched beds without plantings. The Association provides weed control and fresh mulch annually to these areas. Each Unit Owner may add shrubs and flowers to these beds with the advance approval of the Landscaping Committee. The Unit Owner must fill out and submit the "Landscaping Modification Request" form (see appendix) and submit the form to the Management Agent who will forward it to the Landscaping Committee.

Upon approval of landscaping projects or at a Unit Owner's request, individual drip lines at Units will be allowed to be attached to the main drip system only if the Unit Owner purchases and maintains his/her own system and agrees to pay for water usage applicable to the system. The charge for water usage will be determined by the Board, will be billed annually and will be due on April 30 of each year.

## Plumbing and Sewer Lines

If there is a plumbing or sewer line problem in which the location of the problem cannot be determined, it is the responsibility of the Unit Owner to initiate repairs. If the source of the problem is in water lines from the meter to the Unit, or the sewer lines from the community's main sewer line to the Unit, the Unit Owner will be responsible for the repairs. If the Unit Owner's plumber determines that the source of the problem is in the water lines leading to the individual meter or the community's main sewer line, the Unit Owner should only continue making the repairs in an emergency situation. Otherwise, the Unit Owner should contact the Management Agent and Board of Directors as soon as possible.

## Signs

No signs larger than two (2) square feet may be displayed on the property at any time. Signs may not be attached to the buildings, mailbox or any other structure. Only the following signs are permitted:

- *Alarm Company* signs may be a maximum of one (1) foot square and must be located close to the unit and not in the grassy areas.
- *Real Estate "For Sale"* signs must be placed within six (6) feet directly behind the mailbox in the natural areas. Signs may not be larger than two (2) feet by two (2) feet and may stand no higher



than three and one-half (3 1/2) feet. The sign must face parallel to the driveway. No more than one (1) sign may be displayed. Any information displays must be in the same immediate natural area. On the weekend of an open house, an "Open House" sign may be displayed in the same immediate area behind the mailbox and must be removed by Sunday. The Unit Owners are responsible for all visitors following the parking, noise and speed requirements of the community. Any signs placed on a common area in violation of the above will be removed and disposed of by the Association.

- *Political signs may be* a maximum of two (2) square feet and must be located in front of the Owner's Unit and not in the grassy areas. There can be a maximum of one sign per Unit at any time. Signs may be erected 45 days before the corresponding election date and must be removed within 7 days following the election date.
- *Workman signs* are signs that contractors or others may ask to display *at* your home while performing work on your Unit. These signs are permitted if they are not larger than two (2) feet square. They must be located close to the mailbox and not in the grassy areas and there can only be one sign per Unit at any time. Signs may be displayed for a maximum of 30 days.

## **Outdoor Recreation**

We all recognize that space for outdoor recreation in Canaan is limited; thus, residents and their children or visitors must learn to adapt their activities to the nature of the environment. In particular, skateboarding, roller-skating, baseball, frisbee, tennis, football and basketball in the streets are prohibited.

## **Solicitation**

There shall be no solicitation in the neighborhood. There is a “No Solicitation” sign posted at the entrance.

## **Speed Limit**

To ensure the safety of all Owners and guests, the speed limit in the neighborhood is **15 miles per hour**.

## **Storage and Temporary Structures**

No items may be stored on porches, driveways or common areas. This also includes large portable storage containers. Instead, all items must be stored within the Unit, including the garage.

No temporary structures (trailers, tents, sheds, pens, barns or other out buildings) may be maintained on Common Elements.

## **Thermostats**

Heating units should never be turned off in winter. The Management Agent recommends your thermostat be set no lower than 55 degrees to keep water pipes from freezing and bursting. The Unit Owner will be financially responsible for water damages caused by heating systems not being left on during the winter months.

## **Trash/Recycling**

Trash collection is performed by the City of Greensboro on designated days. Your green trash container is serviced every week; your brown recycling container is serviced every two weeks. Residents must obtain trash and recycling receptacles from the City upon occupying a Unit. Receptacles should not sit in driveways for extended periods of time. Place them on the street no earlier than the night before pick up and remove them by the end of the day of pick up. At all other times, receptacles must be kept in enclosed garages or corrals specifically designed to house the receptacles.

Hazardous wastes, including paints, motor oil, household chemicals and other toxins are unacceptable for curbside disposal. Disposal of renovation debris is the responsibility of the owner and/or contractor.

## **Use of Units**

Because Canaan at the Noles is a residential community, no Owner shall permit the use of his/her Unit for any transient hotel or commercial purposes, or for any activity deemed offensive, illegal or harmful.

## **Vegetable Gardens**

The planting of vegetable gardens in Common or Limited Common areas is prohibited. However, Unit Owners may plant a limited number of vegetables in the flower beds in the rear of the Units with the approval of the Landscaping Committee.

## **Vehicle Maintenance and Repair**

No maintenance or repair work to any type of motor vehicles shall be conducted on the Common Elements. Vehicle washing and/or waxing in Unit Owners' driveways is permitted.

## **Violations and Enforcement**

The Bylaws of Canaan at the Noles (4.j.xiii) allows for the Owner of a Unit to be fined \$150 or a greater amount if authorized by statute for each violation of the Declaration, the Bylaws or any rules and regulations of the Canaan at the Noles Homeowners Association. If allowed by law, such fines may be assessed on a daily basis for a continuing violation. An adjudicatory panel shall accord the Unit Owner charged with the violation notice of the charge, an opportunity to be heard and to present evidence, and notice of the panel's decision. Any

fine established hereunder by an adjudicatory panel shall be an assessment against the owner charged with the violation and a lien against said owner's Unit, subject to all provisions and enforcement of Article 30 of the Declaration.

Section 11 of the Bylaws provides for the enforcement of all rules and regulations. The Association, or any Owner, has the right to enforce the Rules and Regulations of the Association. The Board of Directors has the right to assess fines against Unit Owners for violations of the Association's published Rules and Regulations by the Unit Owner, his family, guests, invitees or lessees. Fines are considered assessments and must be paid within thirty (30) days after notice of assessment.

## **Water Faucets**

Before the first freeze, Unit Owners must disconnect garden hoses from outdoor faucets.

## **Window Air Conditioners**

Window air conditioning units are prohibited.

## **Window Replacements**

Window frames, panes and screens are the responsibility of the Unit Owner to replace and maintain. Replacements varying from the original installation must be approved by the Architectural Review Committee.

## **Window Treatments**

Interior window treatments such as drapes, shades, blinds and shutters must be in good condition so as to not detract from the exterior appearance of the buildings.

## **Yard Art**

The definition of yard art includes but is not limited to: small statues, bird baths, trellises, benches, masonry baskets, reflecting globes, sundials, university/college insignia, bird feeders, etc. Requests to display yard art must be submitted to the Management Agent who will send them to the Landscaping Committee for approval before its placement in the Common Elements. Requests must be submitted using the "Landscaping Modification Request" form. Any yard art displayed without approval can be removed by the Board of Directors. Alternatively, the Unit Owner can be fined for each day the yard art is displayed without approval.

## **Yard/Garage Sales**

Neither individual Unit nor neighborhood yard/garage sales are permitted in Canaan at the Noles.



## Disclaimer

**This handbook has been prepared by the Board of Directors of Canaan at the Noles Condominium Association, Inc. (the “Association”) and provided to the members of the Association as a convenience. This handbook is not intended to supersede, supplant, modify or amend the Articles of Incorporation or Bylaws of the Association or the Declaration of Condominium recorded in the Guilford County Public registry, as amended and modified (collectively, the “Governing Documents”). In the event of any discrepancy between this handbook and the Governing Documents or applicable Statutes, the Governing Documents and/or applicable Statutes shall control. All members should thoroughly and completely read and review the Governing Documents in order to apprise themselves of the same. The Board of Directors of the Association makes absolutely no representations or warranties with respect to the accuracy of any information contained in this handbook and hereby disclaims any and all liability associated with or resulting from the same. Any reliance upon this handbook by any member of the Association is at his or her own risk. All members receiving this handbook accept the same upon the condition that they hereby agree to release, defend, indemnify and hold harmless the Board of Directors of the Association from and against any claim, liability, loss, damage, demand, lawsuit, cause of action, strict liability claim, penalty, fine, administrative law action and order, expense (including but not limited to attorneys’ fees and expenses) and/or cost of every kind and character arising out of or related to the preparation and dissemination of this handbook.**

# Appendix

## **Management Agent Contact Information**

Lambeth Management & Realty, Inc.  
PO Box 8071  
Greensboro, NC 27419  
(336) 288-4944  
Email: [lambmgmt@aol.com](mailto:lambmgmt@aol.com)  
Website: [www.lambethmanagement.com](http://www.lambethmanagement.com)

## Maintenance

There is a division of responsibility for maintenance of the property between the Unit Owners and the Association. In general, the Common Elements are the responsibility of the Association. Maintenance to the Common Elements required because of the negligence or wrongful act of a Unit Owner (or family, tenants, visitors, or guests of the owner) will be performed by the Association at the expense of the Unit Owner.

A chart of maintenance responsibilities can be found below. For any items not included on the list, please contact the Management Agent to discuss.

**Canaan at the Noles Condominium Association  
Maintenance Responsibilities List**

#	Unit Owner	Association	Item
1	x		Brick enclosures around trash receptacles
2	x		Brick walls around patios and area inside
3		x	Brick walls separating condos
4		x	Brick work on buildings
5		x	Chimney caps
6		x	Common areas
7	x		Covered porch
8		x	Crawl space door
9	x		Direct vent fireplace
10	x		Door bells
11	x		Doorsteps
12		x	Driveways
13	x		Electrical outlets
14	x		Exterior doors and hardware (replacement)
15	x		Exterior front and back house lights
16		x	Exterior vinyl siding and trim
17		x	Fences (wrought iron and masonry) separating units
18	x		Fixtures to provide water, light, power, telephone
19		x	Foundation wells
20	x		Garage doors and hardware
21	x		Glass (storm doors and windows)
22		x	Gutters and downspouts
23		x	House numbers
24	x		HVAC equipment, lines and ducts
25	x		Individual sewer line
26	x		Interior repairs as a result of a roof leak or water penetration
27		x	Irrigation system installed by builder in front of Unit
28	x		Irrigation system installed by Unit Owner (sides & back of Unit)
29	x		Locks on doors
30		x	Mailboxes and posts
31		x	Main sewer lines
32	x		Maintenance, repairs, or replacement caused through the willful negligent act of the Unit Owner, his family or guests
33		x	Meters
34		x	Painting of exterior doors and wooden trim

#	Unit Owner	Association	Item
35	x		Patios (covered and uncovered)
36		x	Roofs
37	x		Screened porches
38	x		Screens
39		x	Shutters
40		x	Skylights
41	x		Solar tubes
42	x		Stoops
43	x		Storm doors
44		x	Street lights
45		x	Streets
46		x	Trees, shrubs, flowers and grass planted by builder of the Unit
47	x		Trees, shrubs, flowers and other plants planted by the unit Owner
48		x	Utility fixtures/connections for water, light, power, telephone, sewage, sanitary service
49	x		Vent pipe cleaning
50		x	Vent pipe covers
51	x		Water lines from meter to the Unit
52		x	Water lines to individual meters
53	x		Water spigots
54	x		Window boxes
55	x		Window frames
56	x		Window panes

## **Architectural Modification Request Form**

The following Architectural Modification Request form must be used to make a request for an architectural modification or addition to a Unit. The most up to date form can be found on the Management Agent's website. The form should be submitted to the Management Agent for review by the Architectural Review Committee. The Unit Owner will be advised of the Committee's decision within thirty (30) days of the submission. The Unit Owner must not make architectural changes without approval by the Committee.

## **Landscape Modification Request Form**

The following Landscape Modification Request form must be used to make a request for a landscape modification including any plantings, changes or additions of hardscape (including fountains, pavers, rocks and benches) or addition of a decorative feature such as yard art. The most up to date form can be found on the Management Agent's website. The form should be submitted to the Management Agent for review by the Landscape Committee. The Unit Owner will be advised of the Committee's decision within thirty (30) days of the submission. The Unit Owner should not begin planting, making changes or installing decorative features without approval by the Committee.

**Canaan at the Noles Homeowners' Association**  
**Architectural Modification Request**

Due to the additional information required when submitting this request, it cannot be submitted on-line. **Remember**, all necessary City building permits Must be obtained prior to work being done.

**Please print this form and attach any necessary items suggested below.**

The more information included will make it easier for the committee to reach a decision.

- |               |                    |                           |
|---------------|--------------------|---------------------------|
| 1. Location   | 6. Roof Design     | 11. Utilities             |
| 2. Size       | 7. Plans/Drawings  | 12. Copy of Property Plat |
| 3. Color      | 8. Photos/Brochure | map with proposed         |
| 4. Material   | 9. Exterior Finish | changes/additions         |
| 5. Contractor | 10. Demensions     | shown                     |

**Type of Modification:**

Addition    Patio    Porch    Interior Construction/Remodeling

Other: \_\_\_\_\_

The Board has 30 days to make all decisions once all necessary items have been received.

**If information is incomplete, the request process must be started over.**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Street Address: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Email: \_\_\_\_\_ Work Phone: \_\_\_\_\_ # of pages in request: \_\_\_\_\_

Description of Request: \_\_\_\_\_

**I hereby request that the Architectural Control Committee review the attached request. I agree not to begin work until I have written approval and to be responsible for the ongoing maintenance and upkeep on the alteration/addition in perpetuity. The upkeep responsibility will transfer to all future owners. Further, I agree that all work will be in a workmanship-like fashion and comply with all building codes.**

Unit Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

All necessary items need to be mailed to: or faxed to:  
**Lambeth Management (336) 869-7268**  
**PO Box 8071**  
**Greensboro, NC 27419**

**For Office Use Only:**

Date Received: \_\_\_\_\_

Received by: \_\_\_\_\_

Approved  
 Denied

**Canaan at the Noles Homeowners' Association**  
**Landscape Modification Request**

Due to the additional information required when submitting this request, it cannot be submitted on-line.

**Please print this form and attach any necessary items suggested below.**

The more information included will make it easier for the Board to reach a decision.

- |             |                    |                                 |
|-------------|--------------------|---------------------------------|
| 1. Location | 5. Contractor      | 9. Hardscape/Decorative Feature |
| 2. Size     | 6. Plans/Drawings  |                                 |
| 3. Color    | 7. Photos/Brochure |                                 |
| 4. Material | 8. Dimensions      |                                 |

**Type of modification to existing landscape plan**

---

---

---

**Type of tree, plant or shrub you want to plant**

**Approximate size of mature tree or shrub**

---

The Board has 30 days to make all decisions once all necessary items have been received.  
**If information is incomplete, the request process must be started over.**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Street Address: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Email: \_\_\_\_\_ # of Pages in Request \_\_\_\_\_

**I hereby request that the Landscape Committee review this request. I agree not to begin work until I have written approval and to be responsible for the ongoing maintenance and upkeep of the modification/addition in perpetuity. The upkeep responsibility will transfer to all future owners.**

Unit Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

All necessary items need to be mailed to: or faxed to:  
**Lambeth Management (336) 869-7268**  
**PO Box 8071**  
**Greensboro, NC 27419**

---

**For Office Use Only**

Date Received: \_\_\_\_\_  Approved

Received by: \_\_\_\_\_  Denied