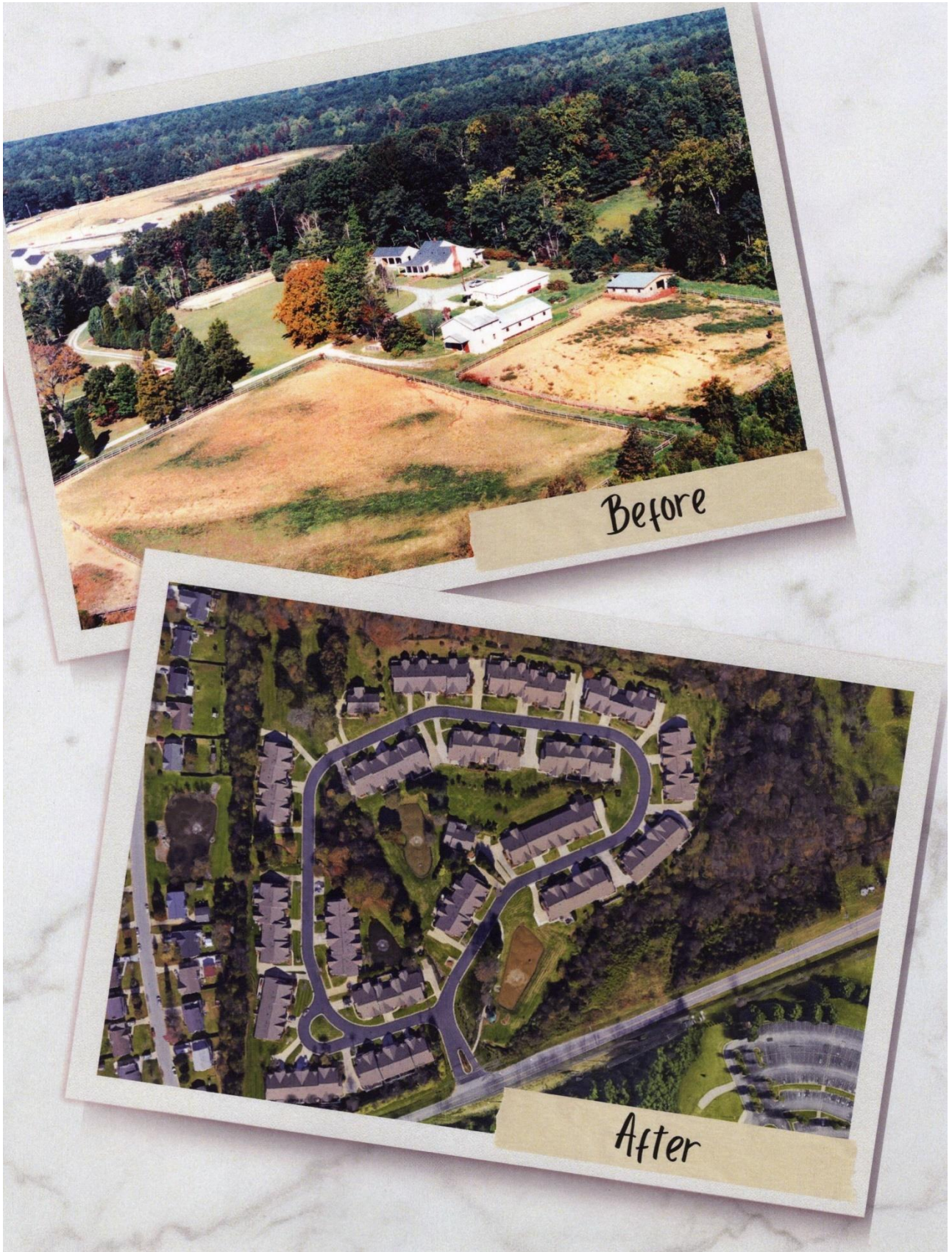


# ORCHARD KNOB OWNERS ASSOCIATION



## RULES AND REGULATIONS

ORCHARD KNOB OWNERS ASSOCIATION



Photos courtesy of Laura Faircloth Gault, Coldwell Banker Advantage

## ORCHARD KNOB OWNERS ASSOCIATION

Welcome to Orchard Knob. We are a cluster home development of 63 townhomes and 2 detached individual homes. The property was once a horse farm owned by the Faircloth family. Construction of the subdivision started in 2000. Most of the land, other than where the dwellings are located and immediately adjacent thereto, is common ground and is owned by the Orchard Knob Owners Association, Inc., a non-profit corporation whose members are the owners in Orchard Knob. The Orchard Knob Owners Association has selected Lambeth Management as the Community Management Company. This Rules and Regulations handbook, provides information on the governance, rules, and regulations, as well as other helpful information.

We look forward to knowing you as we serve our Orchard Knob community,

The Orchard Knob Owners Association Board of Directors

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## Governance

### Board of Directors

A five-member Board of Directors, elected by Owners at the annual meeting (held in September or October), governs Orchard Knob Owners Association. At the first board meeting following the annual meeting, the members of the board elect a president, vice president, treasurer, secretary, and a member at large. Elected members may serve on the board for either a one, two, or three-year terms. Board meetings are every other month and open for homeowners to attend if they choose.

Contact a member of the board or the Community Manager for information about upcoming meetings or go to the web page: <https://lambethmanagement.com/>

### Architectural Control Committee:

The Architectural Control Committee (ACC) consists of three or more members appointed by the Board. The ACC must approve any changes to the exterior of the building and to any landscaping redesign the homeowner wishes to personally change; the changes are at the lot owner's expense. Approval must be in advance of any architectural change taking place. The ACC guidelines along with an application form for changes are available on the Lambeth website. Applications for changes are sent to the Community Manager at least 30 days before the project start date. The Community Manager will record the request then send it to the ACC chair, the Board of Directors may also be notified of the request. The committee will act as promptly as they possibly can on requests and will try to accommodate an owner's wishes when they do not conflict with the best interests of the Association.

### Community Management

Lambeth Management is the Community Management Company for Orchard Knob Owners Association. The Community Manager is Donna Williams. Donna works directly with the board members by assisting them with the carrying out the day-to-day responsibilities of the Association. As a management company LAMBETH keeps the Associations financials and provides to the Board of Directors a monthly financial statement. LAMBETH MANAGEMENT makes sure the monthly service contractors for the community are hired, paid, and oversees the supervision of the common area grounds maintenance company and any other contractor working at the community. It is always best to contact the Management Company if you see an issue with a contractor instead of your instructing or correcting contractors.

If you have a request for exterior repairs or see an issue needing attention, please call the Management Company at 336-288-4944. You can also contact them by e-mail at LAMBETHMANAGEMENT.COM. A request for service may also be mailed through the US Mail to LAMBETH Management, P.O. Box 8071, GREENSBORO, NC 27419.

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### **Assessments**

The Association has no source of regular income other than assessments of the owners. All funds to administer the Association; repair, replace and maintain improvements to the common grounds; and for exterior maintenance on the swellings come from each owner in the form of regular or special assessments. The Association has a reserve account into which a portion of the assessments is deposited to earn interest and for use in making future major repairs and replacements. These funds are used to make repairs and replacements to the common property and for maintaining the exterior of dwelling units, repairing and making replacement of roofs, gutters and downspouts, driveway and walks. Patios or decks are the responsibility of the homeowner. Loss or damage from hazards covered by your insurance, intentional or abusive or negligent damage of an owner or the owner's guests or invitees is the responsibility of the homeowner.

Costs of caring for the exterior of the Orchard Knob Owners Association dwelling units, ponds and the common area of the Association are met through the monthly assessment of every lot. The Board of Directors determines the monthly assessment when the yearly budget is prepared; usually this occurs during November. The directors emphasize that the monthly Assessments are currently due on a monthly basis, however owners may make quarterly semiannual or annual advance payments. The monthly assessment is due before the end of the month in which the assessment is applied to your account. The Association has never had to seek a special assessment from the membership, in the case of a needed special assessment the approval of the special assessment would have to take place in advance of the assessment by vote of 66% of the lot owners.

Lambeth Management provides more detailed information concerning assessment payment options on their website. They state that options include: mailing a check, sending payment through your bank's bill pay service or online via their portal. Coupon Payment Books only by request and are not necessary to make a payment.

A portion of each monthly assessment is set aside for capital replacement reserves, which would include items such as roof replacement, pavement and asphalt work and major landscape improvements. The amount of capital reserves is set each year when the board determines the upcoming year's budget. A percentage of the monthly assessment is allocated to capital reserves and the remaining amount of the monthly assessment is applied to the daily operation of the community, (upkeep of grounds, general repairs, and snow removal.)

Assessments are due before the last day of the month in which the assessment is due, if the assessment is received after the 10<sup>th</sup> of the month, then a late fee charge of \$20.00 is applied to the account. If the amount owed to the Association by the owner reaches \$700, the Board of Directors will meet, and if needed, vote to turn the account over to an attorney for the collection of the delinquent assessment. All charges and expenses for the collection of the delinquent account

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would be the responsibility of the lot owner. Unpaid assessments may lead to the board placing a lien on the property involved.

### **Common Areas**

All areas beyond the footprint of the owner's lot are defined as common area, the maintenance and upkeep of the common area is the responsibility of the Association. The common area must remain clear of all personal items and trash.

### **Ponds**

Please do not allow children to play near the ponds in Orchard Knob. They are deep in some areas and a child could drown if they fall in. Parents and Grandparents should stress the dangers of playing around the ponds to their children. Ponds are periodically treated with chemicals to help prevent algae growth.

### **Parking**

The Declaration of Covenants for Orchard Knob Owners Association state "Ownership of each lot shall entitle the owner(s) thereof to the use of the concrete parking pad near their unit. Owners should make reasonable and conscious efforts not to park along the Orchard Knob Lane roadway. All vehicles parked on a lot must be properly registered and inspected. No vehicle shall be "stored" on the property.

### **Vehicles**

All vehicles parked within the Orchard Knob Owners Association community must have a current state tag. Any vehicle not displaying a current state tag may be towed by or on behalf of the Orchard Knob Owners Association at the risk and expense of that owner. No junk, inoperable, or damaged automobile or vehicle of any kind shall be parked unless approved by the Orchard Knob Owners Association Board of Directors. (If a vehicle has been recently damaged in an accident, repairs to the vehicle must be performed within 30 days. Extension of the timeline needs to be approved by the Orchard Knob Owners Association Board of Directors.) Any vehicle with gasoline, oil or emission leaks must be repaired by the owner or removed from the property, any cleanup charge for the staining of the asphalt/concrete will be billed to the lot owner who creates the stain marking. No vehicle may be stored on the property that is not operational.

The following vehicles may not be parked or stored within the Orchard Knob Owners Association community unless such parking or storage is authorized by the Orchard Knob Owners Association Board of Directors: commercial vehicles, oversized vehicles\*, trailers, camping trailers, boat trailers, hauling trailers, boats or accessories thereto and self-contained motorized recreational vehicles. Any such vehicle may be parked as a temporary expedience (for up to forty-eight hours) for loading, delivery of goods or services, or emergency.

Minor cleaning and maintenance work on vehicles is permitted on association property, provided a resident uses only hand-held, manually operated tools. This includes replacement of flat tires, checking fluid levels and adding fluids where necessary, minor engine adjustments, jump starting dead batteries, changing wiper blades, headlight or taillight bulbs, and washing,

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vacuuming vehicles. Vehicles must not be left unattended when minor cleaning or maintenance is being performed. Each resident is responsible for proper disposal or waste produced by maintenance.

Frequent, ongoing or prolonged sounding of a vehicle horn is not allowed except in emergencies. Frequent, ongoing or prolonged revving of a vehicle engine is not allowed. Vehicles equipped with faulty or "sport" mufflers or that otherwise fail to keep vehicle noise at the level of an average passenger vehicle are not allowed. Vehicle radio and or stereo volume should be kept at a level that cannot be heard by pedestrians while the vehicle is on association property.

### **Driving on Lawns**

Under no circumstance should anyone ever drive on the grass or sidewalks, even during the moving-in process. Driving any vehicle - moving vans, delivery trucks, private autos, etc. - on any common area is prohibited, doing so will damage the lawn, sprinkler heads and/or underground utilities.

### **Fuel Spills**

Fuel spills or oil drippings from vehicles destroys asphalt/concrete paving and therefore should be treated at once. Residents are responsible for spreading a fuel-absorbent material (kitty litter) on any such sills or oil spots. They also are responsible for the cost of any needed repairs to the paving, which result from such spills.

### **Exterior Clutter**

Congruent with the standard of presentation and excellence in the Orchard Knob community, each homeowner is responsible for debris and cleanness of both the front and back of their unit. If it is deemed that debris detracts from the above, the Association has the right to remove such debris and charge the owner for the removal of the debris.

To obtain recycling and trash removal, homeowners should link to hp resident services so residents can obtain updated info such as: Bulky Item Collection, Garbage Collection, Power Outage Information, Recycling, Utilities-Request a Service, Voting Information and much more.

<https://www.highpointnc.gov/31/Residents>

Currently, our collection day is Wednesday: weekly for garbage; biweekly for recycling. See the above link for their holiday schedule.

### **Mattress, large appliance, and bulky item collection:**

Every other week, the city will pick up bulky items. Place these items roadside only the night prior to the scheduled pickup. Please be mindful that the city will not pick up televisions and computers. See their website for a list of locations that residents may drop them off.

### **Hazardous Waste:**

Do not put hazardous waste into the trash bins. Paint, chemicals, used batteries, old nail polish, insecticides, fluorescent light bulbs (which contain mercury), electronics (including



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televisions and computers) and other hazardous materials can be taken to sites provided on <https://www.highpointnc.gov/31/Residents>

### **Termite and Insect Control**

The Association will treat common areas for insects such as wasps or hornets in shrubs or in areas of the common area. Please contact the management company if these types of insects are noted.

### **Animals (Pets)**

#### **General Pet & Animal Information**

Please note that homeowners occasionally come into contact with wild animals such as foxes, turtles, raccoons; if necessary, Animal Control can be contacted at 336-641-5990. Citations are for violations of the Animal Control Ordinance, and violations can result in fines, most commonly in the range of \$25-\$100. Persistent complaints to our Community Manager also can result in association fines by the Board of Directors.

#### **Dogs:**

It is unlawful in High Point and Guilford County to let dogs run at large. Also, it is a policy of the Orchard Knob Owners Association that dogs must be walked on a leash within the community, and not allowed to roam the property unattended. The owner of the pet must clean up any dog feces. Out of consideration for your neighbor's lawn, only let your dog walk on the lower end of the property. Orchard Knob is within the Oak Hollow Watershed. This means that all run-off from the property eventually ends up in Oak Hollow Lake. There is a High Point City Ordinance that requires all pet waste to be cleaned up immediately in order to protect the watershed. Dogs should never be chained or secured outside a residence, unless it is within a gated deck area.

#### **Cats**

Residents may have only indoor cats.

#### **Antennas, Cable, Satellite Dishes**

Cable service is available for residents at the lot owner's expense; the use of outside antennas is not permitted in the community. Satellite dish installation requires the homeowner to submit an architectural request for approval. Satellite dishes may not be attached to the buildings

#### **Homeowner Responsibilities**

Homeowners are responsible for a number of things, which are not covered by regular or special assessments.

ALL UNIT OWNERS MUST MAINTAIN PROPER OWNER'S INSURANCE ON THE DWELLING UNIT, PROVIDING A COPY OF THE POLICY TO THE MANAGING AGENT IF REQUESTED BY THE ASSOCIATION. Your policy should be a ho-3 policy. Owners need to be aware that repair of the exterior of a townhome, from damage caused by a falling tree, would be the responsibility of the unit owner. Owners should make sure their policy covers the lot and their unit with

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“Guaranteed replacement cost”.

The Association has an insurance policy that protects the Association from claims of liability for any claim that would take place on the common area owned by the Association.

### **Understanding your lot size**

Each owner should have a copy of the plat for his or her lot. Under article VII of the community's Declaration of Covenants and Conditions, Exterior Maintenance, the following applies, "in addition to maintenance upon the common area, the Association shall provide exterior maintenance upon each unit dwelling on each Lot which is subject to assessments, as follows: Paint, repair, replace and care of the unit roof, gutters, downspouts, exterior building surfaces, trees, shrubs, walks and other exterior improvements. Such exterior maintenance shall not include glass surfaces, window and door screens, patios, wooden decks or any portion thereof, including railings, supports and steps; attic fans; or subsurface leakage into basement areas or crawl spaces. In order to enable the Association to accomplish the foregoing, there is hereby reserved to the Association the right to unobstructed access over and upon each Lot at all reasonable times to perform maintenance as proved in this Article.

### **Water and Sewer Lines**

The Association is responsible for all water and sewer supply lines and discharge lines that are within the common area of the Association. It is important that owners understand that any supply line or discharge line that serves a specific unit and is under, or on an owner's lot is the upkeep and repair responsibility of that lot owner. Any repair needing to be done to any supply line or discharge line on an owner's lot or that is in the common area and serves a specific unit is the owner's upkeep, repair and maintenance responsibility. Main water and sewer lines which do not serve a specific unit but provide water or sewer removal for the entire community, these lines are located mostly under Orchard Knob Lane and lead to the city of High Point main line located at Skeet Club Road, these lines are the Associations responsibility. Please take a moment to review the entire Declaration of Restrictions and Conditions to further understand these regulations). (See attached appendix A and B)

### **Decks and Patios**

The Association does not provide upkeep of railings wrought iron or wood, decks, patios, patio walls or gates on patios. These are the responsibility of the owner. Vinyl privacy fences will be cleaned during the scheduled building pressure washing and painting, determined by the Board of Directors.

### **Windows and Doors**

The Association does not replace doors or windows. Maintenance of these, except for scheduled building painting, is the responsibility of the owner. However, if owners wish to replace

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windows with more efficient ones or replace exterior doors, they must go through the Architectural Control Committee.

### **Signs**

When a home is for sale, the lot owner may use only a conventional "For Sale" sign, approximately 18 x 30 inches in size, with metal legs. This is the type and size used by real estate agents to advertise a unit dwelling that is for sale. Only one sign is permitted. No sign may be placed at the entrance area during the week, if the agent is sponsoring an open house event, an open house sign may be placed at the entrance to the community on Thursday of the weekend in which the open house will take place and it must be removed on Sunday evening of that same weekend. The intent of this rule is to prohibit wooden post-in-ground signs at Orchard Knob Owners Association. A "For Sale" sign, as described, is the only sign permitted.

Election signs, approximately 18 X 24, are permitted 20 days before early election and must be removed 7 days after each election. Election signs are not allowed in common areas.

### **No Soliciting**

Soliciting within the Orchard Knob Owners Association is prohibited, if a solicitor shows up at your door, or leaves fliers at your door, please contact the High Point Police (336-883-3224) and let them know of the solicitor, the Association has placed a "No Soliciting" sign at the entrance. The police should be notified immediately of this situation as uninvited guests to the community may have other intentions than to simply peddle a product.

The Board has made an exception to this policy: resident children and grandchildren of an owner may solicit for schools and scout groups.

### **Landscaping Policies**

Owners who wish to change the layout of the area in front of their unit through the change of yard plantings must seek the change through the approval from the community Architectural Control Committee (ACC). If approved, such changes are made at the homeowner's expense.

Owners who wish to landscape in common areas, or behind their homes also need approval of the ACC. The expense and long-term care of plants these are the owners, as the Association has never funded landscaping at the rear of the units.

The Association will maintain front yard plantings. If there are dead or dying shrubs in the front of your unit, please contact our Community Manager who will bring the matter to the attention of the Board of Directors. Replacement expenditures must come from the operating budget and, therefore, are the responsibility of the Association. Need will be prioritized for future attention.

Some owners add a great deal of beauty to the front of their unit by planting annuals; these owners do this on their own and at their expense.

Owners are urged to water shrubs around their home in the summer during hot dry weather.

### **Building Painting**

The Board of Directors and Community Manager will make an annual assessment of what painting needs to be done.

### **Roof Replacement**

The Board of Directors will make an annual assessment of what roofs to be replaced.

### **Wrought Iron Railings**

Wrought-iron railings will be painted when homes are painted. However, if the owner wishes to have the railing sanded, he/she should do that in advance of painting.

### **Snow Removal**

When and if we have snow, any two available Board members will contact the Community Manager and a discussion will take place with intent to make a decision as to if the drive portions of Orchard Knob Lane should be plowed.

Owners are responsible for shoveling their own unit porch, walkway and driveway. If an owner does not have the ability to shovel their snow, then they should contact the Community Manager's office prior to the snow event and ask that the manager's office try to help them by referring a contractor so the owner may call the contractor to do the removal of the snow. The cost for the snow removal and shoveling service will be the owner's expense, the owner will need to make arrangements to pay the contractor for the provided service.

In the event of an ice storm, in just about every case, it is best to stay off the roads! Owners may wish to have a small supply of ice melt or sand on hand to use when sleet and ice make their porch and walkway hazardous. The white granular ice melt should be used very sparingly, as it discolors brickwork and kills the grass if used in large quantities.

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Appendix A

Orchard Knob Owners Association  
UNIT OWNER RESPONSIBILITY

1. All air conditioning and heating equipment, outside air compressor and inside air filters.
2. Door Chimes outside button and inside chime/bell and transformer.
3. Outside and inside electrical utility lines, outlets/covers and wiring, breaker boxes, and lights. Utility lines that provide light, power, water, telephone, sewage and sanitary services to the individual unit or lot.
4. Outside water spigots.
5. Enclosed areas or decks including pavers, plants, railings and any other improvements.
6. Exterior doors, windows, sills and their frames, includes the crawl space door. Exterior and interior door hardware, locks and knobs.
7. All glass surfaces (doors, storm doors, windows, door sidelights, solar tubes and skylights)
8. All interior repairs and renovations.
9. Maintenance, repairs or installation of handrails on the porch and steps.
10. All exterior architectural modifications or additions to unit and or lot, continuing maintenance of said modifications. Homeowner must submit written request for approval of all modifications architectural and landscaping.
11. Screened in porches, doors, framing, all screen material, flooring and inside of screened in area.
12. Ants and other outside pests and rodents.
13. All maintenance, replacements and repairs caused through the willful negligent act of the owner or guests.
14. All maintenance, repairs or replacement caused by fire, lightning, windstorms hail, explosion, riot, strike, civil commotion, aircraft, vehicle and smoke.
15. Owners are responsible for contacting the Management Company to report any exterior maintenance in a timely manner.
16. All components of a deck or patio and their maintenance /upkeep is the responsibility of the owner. The Association has the right to inspect and to

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affect repairs to any deck deemed unsuitable and to bill the owner for those repairs.

17. The adjoining area of deck to siding must be kept clean and free of debris at all times. Owner will be held responsible for damage that is caused to the siding due to improperly installed deck to the unit.

18. Foundation vents and proper care of the vents, maintenance of interior and exterior dryer vent duct work. Moisture barriers in the crawl space. All floor and support structure of the unit.

19. Absentee owners must provide tenants with a copy of the Associations' rules, regulations, and Declaration of Restrictive Covenants.

20. Transfer fees for closing paperwork on the sale of a unit to the Management Company.

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Appendix B

Orchard Knob Owners Association  
ASSOCIATION UPKEEP RESPONSIBILITY

1. Brick work includes chimney concrete top wash and brick steps but does not include unit foundation repairs.
2. Replacement as needed of roofing, porch columns, shutters, siding, brick mold/trim, corner boards and metal chimney caps.
3. Common area grounds and Association made improvements.
4. Concrete parking areas, asphalt roadways, curbing, driveways and ponds.
5. Maintenance and cleaning of gutters, downspouts, roofs and underground gutter drain line
6. Main sewer and water lines that run throughout the common area of the community.
7. Painting and caulking of all the exterior shutters, siding, doors, windows, porch columns and trim as needed during the scheduled building painting year.
8. Trees, shrubs, and grass installed during original construction and maintenance thereof. Any improvements made by the lot owner are the lot owner's responsibility for repair and replacement.
9. Retaining walls, main entrance sign.
10. Irrigation system.
11. Maintenance and upkeep of the mailboxes.
12. Issue warning, and if needed the removal of any vehicle or trailer that is not registered, in operable condition or considered to be inoperable by the Board of Directors.

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Rules and Regulations Noncompliance Procedures

Under authority of the North Carolina Planned Community Act, June 2004, a fine policy for violations of the Covenants, Bylaws, and Rules and Regulations have been adopted.

The procedural steps for the fine policy are as follows:

1. A letter will be sent to a homeowner who has been found to be in violation. The letter will give the homeowner Thirty (30)-days to correct the violation.
2. If the violation has not been corrected at the end of Thirty (30)-days, an additional letter will be sent to the homeowner specifying that, if the violation has not been corrected within Ten (10)-days from the date of the letter, a hearing with the Board of Directors will be scheduled to determine if fining will begin.
3. If the violation has not been corrected at the end of that Ten (10)-day period, the homeowner will receive a certified letter advising a date to appear at a hearing before the Board of Directors. The Owners will have an opportunity to set forth all facts to show compliance with the Covenants, Bylaws, or Rules and Regulations or a valid reason for an exception.
4. The Board will review the homeowner's reason and make a determination as to fining. Should the homeowner not appear at the hearing, fining will begin automatically.
5. Within Ten (10)-days, the homeowner will receive a certified letter explaining the Board's findings. If the Board's decision is that fines are to be levied, the following actions will be taken:
  - a. A fine amount determined by the Board will be assessed for the first Four (4)-weeks.
  - b. If the violation has not been remedied within the Four (4)-weeks, the fine will be increased as determined by the Board until such time as the homeowner has complied with the Covenants, Bylaws, or Rules and Regulations.
6. If the homeowner has accumulated \$500 of unpaid fines, a lien can be placed on the owner's property. The Board will have the option to proceed with foreclosure on the unit or file for a judgment against the homeowner in small claims court.
7. The homeowner will be responsible for any legal fees associated with collection of unpaid fines.




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Modified and approved by the Orchard Knob Owners Association Board of Directors  
10/16/2024

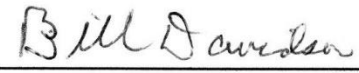
Signed by the board members

  
\_\_\_\_\_  
John Bishop President

  
\_\_\_\_\_  
Don Price Vice President

  
\_\_\_\_\_  
Butch Wilson Treasurer

  
\_\_\_\_\_  
Lucile Hurley Secretary

  
\_\_\_\_\_  
Bill Davidson Member at Large