

**RULES AND REGULATIONS
OF
LAKE MARTHA ASSOCIATION**

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WELCOME TO LAKE MARTHA

Welcome to Lake Martha Association (Fox Glen). As an owner of a townhome, you are a member of the Association. The Association has prepared this handbook for your use to enable you to understand certain important aspects of the Association's operation.

Townhome living is a unique style of homeownership, blending benefits of single family ownership with many benefits of the apartment lifestyle. However, homeowners face certain differences that are not generally applicable to single family homeownership but are necessary to maintain the continued attractiveness and uniform appearance of the townhome community. This handbook was written to inform you of the specific rules and regulations which govern the Association and the procedures that must be followed when any change, modification or alteration to the building and/or grounds is considered. Each homeowner's thoughtfulness, cooperation and participation are essential ingredients to making our community an enjoyable place to live.

INTRODUCTION

Lake Martha Association was created in 1972 and is a nonprofit corporation chartered by the State of Minnesota to provide for maintenance, preservation and architectural control of the community of 237 townhomes. Membership in the Association is automatic with the ownership of a townhome in the Fox Glen community.

The operations of the Association are handled by a Board of Directors comprised of seven (7) homeowners elected from the general membership at their Annual Meeting. The Board of Directors is obligated to run the Association according to its registered legal documents – the Declaration, the By-Laws and the Articles of Incorporation. Each homeowner should be familiar with the content of these documents. Within the By-Laws, the Board of Directors is given the power to develop rules and regulations for the Association and is given the power to enforce the rules and regulations.

MANAGEMENT

The Board of Directors, per the governing documents, has the right to employ a management company to conduct the day-to-day operations such as payment of bills, overseeing contractors, working with employees, securing bids from contractors, etc. Lake Martha was self managed until January 1, 1996, when the Board of Directors contracted with their first management company. The property manager attends the monthly meetings along with the Annual Meeting each year. At the time of this publication, the current management company and property manager is:

Keller Properties, Inc.
Carl F. Keller III
1895 E. County Road E
White Bear Lake, MN 55110
651-777-0120
E-mail: kellerprop@aol.com
Website: kellerpropertiesinc.com

MEETINGS

The Board of Directors meets the 4th Thursday of each month (except holidays) to conduct the business of the Association. These meetings are held at the Shoreview Community Center. Homeowners are welcome to attend the meeting. At the beginning of the meeting, time is given to homeowners to present their concerns and/or ideas. Please call the management company for the date and time of the meetings.

Each year, the Annual meeting is held in October. This meeting is held the Shoreview Community Center. At this meeting, director positions are filled from the general membership, expenses and the upcoming budget are reviewed and major projects and upcoming issues are discussed.

No one homeowner can hold more than three (3) proxies. No candidate can cast a proxy.

MAINTENANCE

The Association is responsible for exterior maintenance of the buildings and the common grounds as stated in the primary documents and/or rules and regulations. Interior repairs and maintenance are the responsibility of the homeowner. At the end of this handbook is a detailed listing of Association's and homeowner's responsibilities.

ASSOCIATION ASSESSMENTS

The primary documents refer to the monthly Association dues (fees) as the annual assessment. The homeowner is assessed on an annual basis. The annual assessment (fees, dues) can be made in monthly installments. The assessment covers the Annual Operation Expenses and provides for a Reserve for Replacement budget for repair and/or replacement of capital items. All homeowners are assessed equally. Copies of the budget can be obtained from the management company.

The Association assessment covers administrative expenses, trash removal, lawn care, snow removal, outside maintenance and other expenses. As the owner, you are responsible for your water, sewer, electricity, telephone, cable and interior/contents insurance coverage. Also each homeowner is charged for their portion of the annual hazard insurance premium. Notices are sent to all homeowners in the fall. If the insurance premium is escrowed, it is the homeowner's responsibility to make sure the mortgage company releases the funds.

ACTION REQUEST FORMS

The management company uses a form for homeowners/residents to use when reporting rule violations, maintenance request, etc. Copies of this form are available from the management company or can be completed on their website. We encourage you to use this form instead of calling for repairs.

INSURANCE

Insurance for the common areas and the structure of each building is covered under a Master blanket Policy that runs from October 9 to October 8. Insurance is a “common expense” and is paid separately from the monthly Association fee each year. This amount is billed to each homeowner in August. Homeowners can obtain a “Certificate of Insurance” for their mortgage company by contacting the insurance agent. Contact the management company for the most current agent’s name and phone number.

Homeowners need to insure the interior and contents of their townhome. The Declaration defines what the Association policy covers. If the Association does not cover an item, the homeowner’s policy should. Homeowners should discuss their specific insurance needs with their agent and if necessary, the Association’s agent. Homeowners should report any damage to common grounds or building interior (by external causes) and exterior to the property manager as soon as possible. If a claim needs to be filed with the Association’s agent, please contact the property manager. **DO NOT CONTACT THE AGENT ON YOUR OWN TO FILE A CLAIM.**

CHANGES TO THE COMMON GROUNDS AND BUILDING EXTERIORS

Any changes, additions or deletions to the exterior of your townhome or to the common grounds must be approved by the Board of Directors before beginning the project. The guidelines and procedures that must be followed in seeking approval for any changes, additions or deletions are described on page 9 of this handbook.

TRASH REMOVAL AND RECYCLING

At this time, trash is collected every Wednesday. If Wednesday is a holiday, trash will be picked up the next business day. Trash may be set out after 8:00 P.M. the night before pickup. Containers must be put away the same day as pickup. Any containers must be stored in your garage or within your fenced area. Containers can be marked with your address (number stickers). If you have an unusual amount of trash or non-household trash (i.e.: furniture, mattresses, etc.) to be picked up, please call the management company for the name and telephone number of the trash hauling company. There is an extra charge for this type of extra pickup and this is the owner’s responsibility.

Recycling items are picked up every other Wednesday by the City of Shoreview. Please contact the City of Shoreview for any questions you may have about the recycling program.

LAWN CARE AND SNOW REMOVAL

The Association contracts with one company to take care of the grounds and to remove the snow each year. The grounds are mowed on a weekly basis, when needed. If you have an enclosed patio area and the door is locked, the grounds company will not be responsible for mowing inside the patio area. The grounds company also completes the shrub trimming, fertilizing and spring and fall cleanups.

In November, the grounds contractor will mark the driveways with stakes for the snow plow trucks. Please do not remove the stakes since these are the guides for the crew so the turf doesn't receive damage from the plow blades. The contractor will plow the main roads and open each driveway. This also includes the shoveling of each sidewalk. Sand and salt containers (stored at each entrance) are provided for homeowners to use on small icy areas, otherwise sanding is done on a call in basis. Monterey Drive, Carmel Court, Monterey Court North and Monterey Court South are private streets owned by the Association.

WATERING POLICY

Each building has two common area faucets. Hoses are distributed by the grounds company each spring and collected each fall. If you did not receive a hose, then it is your responsibility to find a faucet with more than one hose. If you purchase a hose, it is your responsibility to remove that hose prior to the grounds company collecting hoses in the fall. The cost of the water used from those faucets is billed to a homeowner on that side of the building. The Association will pay overages from water usage that is billed to that homeowner during the months of June, July and August.

NEWSLETTER

The Association provides a quarterly newsletter for the members of the Association. The newsletter provides the homeowner with information regarding meeting dates, meeting minutes, events and other important information for the homeowners.

SELLING YOUR TOWNHOME

Please notify the management company when you have a signed purchase agreement. You, the seller, should pass on to the buyer the Association's documents and rules and regulations. As of June 1, 1994, the MCIOA (Minnesota Common Interest Ownership Act) became effective for all townhomes and condominiums built after that date or if the Association has amended their primary documents to accept MCIOA. Lake Martha Association has **not** optioned into MCIOA at the time of this publication. This information will be helpful to your Realtor when you sell your townhome. In order for the Association to adopt MCIOA, an amendment to the primary documents would be needed. A vote of the general membership, in accordance with the current primary documents concerning amendments, would be necessary.

For the closing of your sale or refinancing, certain forms could be required. If forms need to be ordered or completed or if you need an extra copy of the documents and/or rules and regulations, please contact the management company. Documents and rules and regulations are also available on the management company's website.

RULES AND REGULATIONS
OF
LAKE MARTHA ASSOCIATION

It is the responsibility of all homeowners to review and familiarize themselves, their families and guests with the Rules and Regulations of the Association. Please retain this handbook for future reference. Additional copies of this handbook are available from the management company and/or on their website. Authority for the establishment of Rules and Regulations is provided to the Board of Directors through the Association's By-Laws.

The rules are intended to promote quiet enjoyment, protect real estate values and promote the health and safety of the homeowners and residents.

This set of Rules and Regulations has been distributed to all homeowners and residents according to the Lake Martha Association Declaration and By-Laws. Interpretation of the Rules and Regulations is at the discretion of the Board of Directors.

Definitions

Association shall mean and refer to Lake Martha Association, a nonprofit corporation organized and existing under the laws of the State of Minnesota, its successors and assigns. All homeowners are a member of the Association.

Owner shall mean and refer to the recorded owner, whether one or more persons or entities, to any unit, including contract seller, but excluding those having such interest merely as security for the performance of an obligation.

Common Area shall mean all real property owned by the Association for the common use and enjoyment of the owners.

ASSOCIATION ASSESSMENTS AND COLLECTION POLICY

1. Association assessment (monthly fees) is due on the first of each month. Any Association fee payments received or postmarked after the 20th of the month are considered delinquent and will be charged a late charge of \$25. Payments made to an account will be applied in the following priority sequence:
 - a) Previously charged late fees, if any
 - b) Previously charged interest, if any
 - c) Fines and other charges, if any
 - d) Past due assessment balances (monthly or special), if any
 - e) Current assessment

2. Lake Martha Association has a service setup with the current management company for automatic payment from your checking account. The necessary form can be obtained from the management company or on their website. If payment is made by check, all checks or money orders should be made payable to "Lake Martha HOA" and sent in care of the management company. Payment coupons and address labels are sent to homeowners in November. Any check returned by the bank will be regarded as a late payment of the Association and a late charge will be applied. A service fee of \$25 will be required and any related bank charges for all checks returned insufficient funds or account closed.
3. The management company will send a late notice after the 20th of the month. This letter will state a date by which contact for repayment must be made. The management company will send a second reminder letter the second month the Association fee payment is not received. After sixty (60) days delinquency, the account can be turned over for collection. All collection costs, courts fees, etc. will be charged back to the homeowner.
4. The management company shall have the authority to negotiate reasonable payment arrangements and present the payment plan to the Board of Directors for approval. The Board has the right to deny approval of the payment plan that is not within the best interests of the Association as a whole. The management company will request a signed and dated payment schedule from the homeowner.

RENTAL REGULATIONS

The Association has established the following regulations regarding the rental of townhomes within the Association. There are two purposes behind these regulations. First, in an emergency, the Association and/or the management company must know how to contact all residents. Second, the Association must have some assurance the owner has acquainted the tenant with the Association's Rules and Regulations and/or governing documents.

1. On or before the occupancy date provided in the townhome lease, the owner must provide the tenant(s) with a copy of the Lake Martha Association Resident Handbook and Primary Documents.
2. On or before the occupancy date provided in the townhome lease, the owner must forward to the management company a copy of the lease (dollar amounts can be blacked out), a signed copy of the Lake Martha Association Acknowledgement of Handbook form and a copy of the informational form.
3. The lease must include a clause that the tenant agrees to abide by all Rules and Regulations set in the Primary Documents and the Resident Handbook.
4. The lease cannot be for a term less than thirty (30) days.
5. Subleasing is not allowed

Owners may obtain copies of the Lake Martha Association Resident Handbook, the Acknowledge of Handbook form and informational form from the management company.

The final authority for fining any owner for failing to comply with violations for the rental regulations rests with the Board of Directors. Any questions concerning these regulations must be directed to the Board of Directors in writing.

ARCHITECTURAL CONTROL GUIDELINES

The ultimate and lasting beauty of the community can only be attained by blending the natural terrain, building materials and building design into the overall architectural design. Proposed changes must compliment the overall design. Changes must retain the integrity of the community, be judged by their effect on the total community and not contribute unwarranted maintenance or problems for the Association.

Approval Procedure

1. Submit a written request to the Board of Directors through the management company.
2. Your request will be submitted to the Architectural Control Committee (ACC) and/or Board of Directors for review. Drawings must accompany the request.
3. The ACC and/or Board of Directors reserve the right to review and determine whether or not the finished product is in accordance with the submitted plans. Projects completed not in accordance with the submitted plans will have to be redone.
4. The homeowner is accorded the right to appeal any decision should he/she feel discriminated against by rejection of the plans. The decision is to be appealed to the Board of Directors at the next regularly scheduled meeting of the Board. The decision of the Board is final. Board members have no voting powers when submitting their own proposals.
5. Some exterior building projects need a building permit from the City of Shoreview. Contact the City of Shoreview for that permit. A copy of the permit must be sent to the ACC Chairperson and/or the management company prior to construction.
6. Any exterior building projects where an independent contractor is used to complete the work will require a copy of the worker's compensation coverage and liability coverage. This must be submitted to the ACC chairperson and/or management company prior to work beginning.
7. The application for architectural changes must include a starting date and within thirty (30) days of the date of the application the project applied for must be completed. If for any reason the project cannot be completed, the applicant may

request in writing an extension to be considered by the ACC and/or the Board of Directors.

8. Any damage to the interior and/or exterior of the living unit from an architectural modification is the responsibility of the homeowner. This information should be supplied to buyers when you sell your home.

Addition or Alterations

1. Changes to the common grounds by an individual homeowner are not permitted without the approval of the ACC.
2. Plants, shrubs, etc. are encouraged on the common grounds. Because this change would effect the environment, it is subject to Board approval. Maintenance must be covered by the homeowner such as pruning, hedge-trimming, weeding, etc.
3. Trees may be planted. The species and location of trees are subject to approval. Maintenance must be covered by the homeowner.
4. Storm doors must be of the type approved by the Committee. The color of the door must be white or off white.
5. Gutters installed shall be off-white, seamless and 4-inches in size.

Gutters now in place do not have to be changed. However, at any time should the gutters need replacing; the new gutters would have to be of the new standard.

6. American flags may be attached for display by bracketing an attachment next to the front door. Other locations require approval. Flags can be no larger than 3' x 5' and they must be maintained in good condition.
7. Television antennas and satellites are permitted within Fox Glen, but the homeowner and/or resident must submit an application for approval. The Association has guidelines concerning placement of satellites. Please contact the management company for that information prior to installation.
8. Weathervanes cannot be attached to the exterior of the house or garage.
9. Trash containers need to be brought to the nearest curb. All trash MUST fit inside the container. If you have more than what fits inside, there is an additional charge and arrangements MUST be made ahead of the scheduled pickup day with the trash hauler. Additional fees must be paid at the time of pickup.
10. No signs of any kind shall be displayed to the public view on any lot except one professional sign advertising the property for sale or rent.

There shall be no signs allowed at the entrances (consideration will be given for open houses, garage sales, etc. on the time and date of event). Persons responsible

for signs placed at the entrances will be contacted and asked to remove the sign(s). If they are not removed, the Association will have them removed at the owner's expense.

11. Permanent flower boxes, containers or enclosures and their contents, retaining walls visible on the exterior wall or deck, must have approval.
12. Touch up painting or staining of the exterior of the home or garage by the individual homeowner may be done by individuals at their own expense with Board approval.
13. No permanent exterior lighting or alterations of existing light fixtures will be permitted. Christmas wreaths and lights are permitted. No yard or rooftop decorations will be permitted (manger scenes, etc.) in the common areas. Christmas lights and wreaths may be up from Thanksgiving Day to January 31st. Lights and wreaths left after the 31st will be removed by the management company at the owner's expense.

Patios, Balcony Decks and Front Steps

1. Balcony deck areas are not to be used for storage areas.
2. Residents are required to remove all furniture from balconies and front step areas during the period from November 1 to April 1.
3. Well tended hanging baskets and flower pots are permitted, but must be removed for painting and repair and taken down prior to November 1st.
4. Climbing plants and/or vines are not permitted on the exterior of the house or garage.
5. Clotheslines are allowed within the fenced area provided they do not exceed fence height or are attached to the building exterior.
6. No clothes, blankets, etc., may be hung from the balcony, patio or front step railings.
7. No carpeting on balcony decks and front steps.
8. The only items allowed on the front steps are planters and yard furniture. Storage of other items is not allowed.

PETS

1. No animals, livestock or poultry of any kind shall be raised, bred or kept in or upon any Lot except that dogs, cats or other household pets may be kept, provided they are not kept, bred or maintained for any commercial purposes.

2. Pets shall be controlled so as not to constitute a nuisance. Shoreview's leash ordinance must be adhered to. Lake Martha Association has adopted the Shoreview leash ordinance.
3. Homeowners are responsible for cleaning up after their pets, daily. Any damage to landscaping or structure must be repaired at the owner's expense.
4. Under no circumstances will a pet's home be allowed outside of the homeowner's courtyard – doghouses, kennels, etc.
5. Pets may be tethered on a chain no longer than 15 feet and not extending into the common areas. Any damage resulting from the tethering will be the responsibility of the owner.
6. Pets using other individual homeowner's property to do a "job" will be restricted to the home. No exceptions to this rule.
7. An owner who's pet is considered a "problem" i.e.: barking, vicious, roaming, etc. with repeated written violations could be asked to have the pet removed.

YARD RECREATION

1. No permanent recreational equipment may be affixed. This includes the exterior of the home, garage or common areas – basketball hoops, etc.
2. Holes resulting from use of badminton, volleyball, etc. must be refilled and any damage to the turf must be repaired by the homeowner.
3. Riding of bicycles is limited to roadways and paved paths.

DRIVEWAYS

1. Because of the inability of emergency vehicles to access our buildings, there is no overnight parking (2:00 A.M. to 5:00 A.M.) allowed on the streets. If you have a single car garage, you can have *two* vehicles parked on the driveway within 10 feet of your garage door. If you have a two car garage, two vehicles can be parked on the driveway within 10 feet of your garage door. Vehicles must NOT extend onto the lawn.
2. Major auto repair outside the garage is prohibited.
3. Boats, boat trailers, utility trailers, trailers, recreational vehicles and equipment, commercial equipment and vehicles shall not be stored on the external area to the home or garage.
4. Oil or gas spills are to be cleaned up immediately. There are commercial cleaning agents that will help clean up spills.

5. No inoperable vehicle is to be left parked in the driveway for more than 48 hours. If the vehicle is not moved, it will be subject to being towed at owner's expense. All vehicles must have current license tabs.
6. Vehicles must be removed from driveway areas for snow removal.
7. Violations of the above could result in fines levied by the Board of Directors and/or towing at owner's expense.

VEHICLE RULES

1. The speed limit within Lake Martha is 15 MPH. All traffic signs must be adhered to.
2. No parking on grass areas.
3. Use of snowmobiles and all-terrain vehicles are not permitted at Lake Martha. Vehicles must be trailered on the property when entering and exiting the Fox Glen community.

Motorized Vehicles – (Including, but not limited to scooters, snowmobiles, etc.)

4. Only licensed motor vehicles are allowed on the streets.
5. No vehicles, licensed or not, are allowed on the walking path.

GENERAL RULES AND REGULATIONS

1. Homeowners and/or residents shall exercise care about making noise. No obnoxious or offensive activities shall be conducted upon a lot, nor shall anything be done thereon which may become an annoyance or a nuisance to the neighborhood. Incidents of vandalism, disturbing the peace, misconduct or animal problems should be reported to the Ramsey County Sheriff's Department. Homeowners and/or residents should be alert to suspicious persons or activities and report the same to the local authorities. Activities (i.e.: noise, parties, etc.) should be handled directly with neighbors, parents, children or the Ramsey County Sheriff's Department.
2. Parents shall be held responsible for all negligent activities of their children. Unruliness and damage to the common areas and/or buildings by a homeowner, resident or visiting children shall be reported to the appropriate parents and/or local authorities.
3. Homeowners and/or residents shall not bring or store any substances that could be explosive, noxious or flammable in their homes, garages or on the premise that would cause a hazardous insurance risk.
4. No unit shall be used for purposes other than a single family residence, nor shall any garage be used for or occupied as living or sleeping quarters, nor shall any trade or business of any kind be carried on within a unit.

5. The use of paintball guns is prohibited on the common grounds of Lake Martha Association
6. Recreational fires are allowed in the City of Shoreview; however, there are rules that must be followed. All residents intending to have a recreational fire are responsible for abiding by the regulations. Please contact the City of Shoreview for current Recreational Fire Rules, Regulations and/or Ordinance.

PENALTIES and ENFORCEMENT

The penalties for violations of the rules and regulations are as follows:

First Notice of Offense	Written warning
Second Notice of Offense:	\$25 fine
Third and Subsequent Notice of Offense	\$50 fine

These penalties will be assessed and enforced by the Board. Fines may double at the discretion of the Board.

The cost of collection, associated with the above fines will be assessed to the homeowner.

AMENDMENTS

The Association shall make other rules and regulations as may be deemed necessary for the safety, care and cleanliness of the property and for securing the comfort and convenience of all owners and residents. No such additional modified rules and regulations shall take effect until thirty (30) days after they are communicated in writing to the owners and residents.

REPAIRS AND MAINTENANCE

Within a thirty (30) day notice, the Association may perform routine repairs or maintenance if, in the opinion of the Board of Directors, such maintenance or repair is required when neglected by the owner of the townhouse. The expense of such repair shall be a personal obligation of such owner and shall be assessed against such owner's townhome in favor of the Association.

MAINTENANCE POLICY

Yards

The Association shall be responsible for:

1. Mowing
2. Trimming of trees and shrubs outside of patio areas
3. Fertilizing
4. Removal of dead trees and shrubs outside of patio areas
5. Replacement of trees and shrubs at Board's discretion
6. Sod/seed replacement, at Boards discretion

The homeowner shall be responsible for:

1. Landscaping changes within patio area
2. Trimming of shrubs and trees within patio area

Building Surfaces

The Association shall be responsible for:

1. Routine painting
2. Replacement of trim/siding
3. Caulking
4. Roof repairs and/or replacement
5. Overhang repairs and/or replacement
6. Garage globe light fixtures/bulbs (above home address plate)

The homeowner shall be responsible for:

1. Initial painting or exterior modifications
2. Repair and replacement of doors, windows, garage service doors, glass surfaces and garage doors.
3. Exterior lights and fixtures (except globe lights above address number plate)
4. Gutters

Balcony Deck and Patios

The Association shall be responsible for:

1. Repair of the privacy walls

2. Routine repair, maintenance and painting of balconies

The homeowner shall be responsible for:

1. Snow and ice removal of balcony, patio and roofs
2. All maintenance and repair on patio and decks

Driveways and Walkways

The Association shall be responsible for:

1. Snow removal
2. Sidewalk repairs and replacements
3. Asphalt repairs and replacements
4. Stoop repairs and replacements

The homeowner shall be responsible for:

1. Ice removal