

**INDIGO HALL AT KIAWAH ESTATES
HORIZONTAL PROPERTY REGIME**

**BOARD RESOLUTION
Affirmation and Adoption of
Rules for Owners and Tenants**

WHEREAS, the Board of Directors ("Board") of Indigo Hall at Kiawah River Estates Horizontal Property Regime. ("Association") is responsible for management, operation and control of Indigo Hall at Kiawah River Estates Horizontal Property Regime and the Association, and is also responsible for exercising for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of the Second Amended and Restated Master Deed of Indigo Hall at Hope Plantation Horizontal Property Regime ("Master Deed") and the By-Laws of Indigo Hall at Hope Plantation Homeowners Association, Inc. ("Bylaws") recorded October 19, 2007, in Book X641 at Page 103; Amendment to Master Deed of Indigo Hall at Hope Plantation Horizontal Property Regime recorded September 18, 2009 in Book 0081 at Page 953; Due Process Procedure, Assessment Collection Policy, and Rules for Owners and Tenants recorded February 25, 2019 in Book 0779 at Page 296; and Due Process Procedure, recorded March 13, 2020 in Book 0866 at Page 470 in the Charleston County Register of Deeds (collectively hereinafter, the Master Deed and Bylaws may be referred to as "Governing Documents").

WHEREAS, Article 9, Sections 9.2 and 9.3 of the Second Amended and Restated Master Deed of Indigo Hall at Kiawah Estates Horizontal Property Regime ("Master Deed") provide that the Association shall have the right to make and enforce rules and regulations governing the use of the Regime, and to impose fines, and suspensions of use and vote.

WHEREAS, Article 3, 3.12, of the Bylaws states, "a Majority of the directors shall constitute a quorum for the transaction of business, and the votes of a Majority of the directors present at a meeting at which a quorum is present shall constitute the decision of the Board of Directors, unless otherwise specifically provided by the By-Laws or the Master Deed."

WHEREAS, Article 3, 3.16, of the Bylaws provides that any "action that may be taken at a meeting of the directors may be taken without a meeting if a consent in writing, setting forth the action to be taken, shall be signed by all the directors, and such consent shall have the same force and effect as a unanimous vote."

WHEREAS, Article 3, Section 3.18 of the Bylaws provides that the Board of Directors ("Board") shall have the power to make and amend rules and enforce the governing documents, including the rules, of the Association. Section 3.23 further provides that the Board shall have the power to impose fines and suspend the right to vote, and the right of self-help.

WHEREAS, the South Carolina Homeowners Association Act, S.C. Code Ann. Section 27-30-110, et seq., requires all existing homeowner association's governing documents, rules, regulations, and amendments be recorded.

WHEREAS, the Board has determined to adopt and affirm the attached rules and to record them.

WHEREAS, a duly held and authorized meeting of the Board was held _____, and the within Resolution was put to a vote of the Board. The required quorum was present and the within Resolution was approved by the requisite members of the Board.

NOW THEREFORE, in order to protect and assure an attractive, high-quality community, the Board hereby adopts the attached rules as follows:

1. The foregoing whereas paragraphs and recitals are and shall be deemed material and operative provisions of this Resolution, and not mere recitals, and are fully incorporated herein by this reference.

2. All capitalized terms used herein shall have the same meaning ascribed to them in the Master Deed and Bylaws, unless the context shall clearly suggest or imply otherwise.

3. Each member of the Board expressly waives any notice requirement for the meeting.

4. The Board hereby affirms and adopts the following rules:

a. Indigo Hall, Rules for Owners and Tenants, Amended: August 2021, attached hereto as Exhibit A and incorporated herein by such reference.

5. This Resolution was adopted by the Board on _____, and the attached rules shall be effective upon their recording.

6. Distribution. The Association's property manager is authorized and directed to circulate a copy of this Board Resolution as well as a recorded copy of the Rules for Owners and Tenants, Amended: August 2021, to all Members. MEMBERS/OWNERS ARE RESPONSIBLE FOR DISTRIBUTING THE RESOLUTION TO ALL TENANTS, OCCUPANTS AND RESIDENTS OF LOTS.

**INDIGO HALL AT KIAWAH ESTATES
HORIZONTAL PROPERTY REGIME**

<u>Michael Nieves</u>	<u>10/26/21</u>	_____	_____
Board Member/Director	Date	Board Member/Director	Date
<u>Barbara W. Murray</u>	<u>10/26/21</u>	_____	_____
Board Member/Director	Date	Board Member/Director	Date
<u>Peter J. ...</u>	<u>10/26/21</u>	_____	_____
Board Member/Director	Date	Board Member/Director	Date

Indigo Hall

Rules for Owners and Tenants

Amended: August 2021

WHEREAS, Section 3.1- 3.23 of the Bylaws of Indigo Hall ("Bylaws") provides that the Board of Directors ("Board") has all of the powers and duties necessary for the administration of affairs of Indigo Hall Homeowners Association ("Association") and may do all acts and things to maintain the community.

WHEREAS, Section 3.1 - 3.23 of the Bylaws authorizes the Board to make and amend any rules or regulations and enforce a violation process. This process is in support of Indigo Hall's covenant, Master Deed and Bylaws. It is designed and enforced in order to support a peaceful, safe community and maintain or improve the community property values.

Owners and Tenants are responsible for visitors and guests and their adherence to all rules and bylaws. It is specifically understood that owners reserve solely to itself the right to amend, modify, and add rules and regulations to his/her tenants rental agreements, *but the owners' rental modification cannot alter, amend or change the rules set by Indigo Hall By-Laws and regulations. Owners are ultimately responsible for any infractions or violations of the rules and will be charged the appropriate fines.*

General Rules

Villas are single family units and cannot be occupied by more than one family. **If the owner has a long-term lease, they are to provide the name, phone number and email address of the person leasing the unit to the Property Manager.** The start and end dates of the lease should also be disclosed and a copy of the lease provided to the Property Manager.

No TV/Radio antenna or satellite dish shall be attached to or displayed on or about the premises. Owners/tenant must only use the Xfinity/Comcast system provided in each unit and the base package is paid for through the POA. Any upgrade to the base package and its pricing is the responsibility of the Owner /Tenant.

Profane, obscene, loud, or boisterous language, or unseemly behavior and conduct is prohibited, and Owner/Tenant obligates himself or herself, and those under him or her, not to do or permit to be done anything that will annoy, harass, embarrass, or inconvenience any of the other owners/tenants, guest or occupants in the villas or common areas.

The sound of musical instruments, radios, televisions, stereos, and singing shall at all times be limited in volume to a point that is not objectionable to other tenants or occupants in the adjoining premises. Quiet period starts at 10:00 p.m. and ends at 9:00 a.m.

Owners and Tenants shall not tamper with building exterior lighting.

The repair or adjustment of all appliances such as heating, air-conditioning, stove, refrigerator, dishwasher, garbage disposal, washer and dryer, screens or any other equipment that is part of

EXHIBIT A

the subject premises is the responsibility of the Owner. Plumbing issues in the villa is the responsibility of the owner.

It is understood and agreed that developer/property management/board shall not be responsible for items stored in storage areas on the property.

Trash Receptacles are located next to Building 3, across from the mail boxes. Please use the Co-Mingle bin for all recyclables. This includes glass, papers, cardboard, plastic, aluminum and steel cans. All other garbage should be bagged and placed in the other receptacle. Carolina Waste will not collect any large items, such as mattresses, furniture, construction material, large crates, electronics, paint, or hazardous materials. For details, check their website (carolinawaste.com). If you need to dispose of those items, please make your own arrangements for removal. You will be charged if we have to remove them on your behalf.

External Appearance of Units

Towels, swimwear, clothes, laundry, rugs, and flags are not permitted to be draped over the porch railings.

No signs, notices, or advertisements shall be attached to or displayed by owner/tenant on or about said premises, unless approved by the Board.

Bikes, toys, etc. are not permitted to be stored in the front of the buildings, visible from the parking lots.

Owner/Tenant shall not alter, replace, or add locks or bolts or install any other attachments, such as door knockers, on any door, except when prior approval is given by the board of directors/property manager. The Owner can install a screen door on the main entrance of the villa at his or her expense that is in good taste and does not take away from the building appearance.

Defacement of the common areas or interior/exterior of the buildings, landscape or the surrounding grounds will not be tolerated. Repair to any damage will be billed to the person responsible.

No window awning, or window guards shall be installed on any windows.

The maximum allowed items Owners/Tenants will be allowed to place on front porch is two chairs (not beach), a small table and one tasteful statue/figurine not to exceed 2 feet. These items should not be in walkways due to fire regulations for emergency exits. No artificial or living plants of any kind allowed.

Motor Vehicle Rules

No motor vehicles shall be kept on the property that are unlicensed, inoperable, in damaged condition or used in a commercial business. Commercial business is defined as any vehicle that has names and logo, tools, construction material and ladders on it. Any such vehicle that remains on the property for more than five days after a notice to remove it has been placed on the vehicle, it will be towed and stored at the owners/tenant's expense.

As defined in the Bylaws for Indigo Hall, the parking lot is a Common Element, therefore parking spaces cannot be reserved by individual owners or tenants.

Trailers, large trucks, tractors, campers, golf carts, recreational vehicles (RV), boats, limos and buses are **NOT** permitted to be parked or stored on the Indigo Hall property.

All vehicles at Indigo Hall shall park within the white guide lines. Only one vehicle per Villa is permitted to park directly in front of their building. Extra vehicles should park in the other large parking areas. This includes visitors and guest. Speed limit is 5 mph in parking lot. *This is a family community with children ... drive responsibly.*

Long term storage (over 4 weeks) is permitted upon Board of Directors approval and permitted in the designated area only, which is located in the parking lot between building 2 and 3 (to the right of building 2 as you face it). Vehicles left in the other over 4 weeks will be towed at owner's expense, as defined by the association's Violation Policy.

At no time are tarps permitted on cars or vehicles for extended periods, with the exception of the parking area between buildings 2 and 3. If overflow is needed, the area past the trash bins, across from the grilling area, is also available.

The HOA is not responsible for any damage to a vehicle inappropriately parked or towed.

Portable Moving/Storage Containers (eg: PODs) are not permitted.

Bike Racks

Bike racks are available in 3 locations on the property. They are for the use of the owners, tenants and guests of Indigo Hall only. Please keep those areas attractive and do not use tarps on bikes for long storage periods. Bikes should be placed in the storage shed for protection for long periods.

Fire Safety Rules

In keeping with Fire Safety Standards, all motorized vehicles including scooters, motorcycles, etc. must be parked outside in designated parking spaces. No motorized vehicles shall be parked in any building structure or in the common areas.

All bicycles should be stored in designated storage areas. They cannot be stored in hallways or on individual or adjoining common/porch areas due to fire regulations.

In accordance with Fire Safety Standards and other safety regulations, the front porch is considered a common area and may be used by the person residing in the attached villa. By no means is the porch or steps to be blocked by potted plants or any obstruction. The porch must have a clear path in which people can pass through. Two (2) chairs and one (1) small table are permitted and can be left out on the porch.

In accordance with Fire Safety Standards and other safety regulations, no tenant shall maintain, or allow to be maintained, any auxiliary heating units, or air-conditioning units.

In accordance with Fire Safety Standards and other safety regulations, no tenant/owner will use barbeque grills on porch or in the pool area. Grills must be used in authorized areas that is, at minimum 25 ft. from a building structure. Charcoal waste must be properly disposed of. Do not dump hot coals in the trash dumpster.

Property Manager/Board has the right to immediately remove combustible material from the premises or any storage area they deem a hazard.

Pet Rules

The total number of pets allowed in any villa is 2. It is your responsibility and a state law to pick up pet waste and any violation will lead, at the board's option, to the removal of the pet from the community upon notice.

Pets should be on a leash unless otherwise approved by the Board of Directors. If a pet becomes an annoyance to other owners/tenants, the owner will be warned by the board or property manager. If the problem persists, steps will be taken by the board/property manager to remove the pet from the community.

Pets are not permitted to be on porches, pool or common areas unattended.

Pets are allowed in the enclosed pool area only when the pool is closed during the off season. Pet owners are responsible to clean up all waste and any disturbance to landscape areas or furniture damage.

Pool Rules

Pool Rules are posted at the entrance. The Board/Property Manager has the right to impose additional rules with the proper notice.

The pool, pool deck, lavatories and surrounding areas are NON-SMOKING! For those of you who wish to smoke, you can use the lawn area on the other side of the recreation building. Please do not discard cigarette butts or ashes in the lawn.

Pool Lavatories, sinks, toilets, and all water and plumbing apparatus shall be used only for the purpose for which they were constructed. Sweepings, rubbish, rags, ashes, or other foreign substances shall not be thrown therein. Any damage to such apparatuses, and the cost of clearing plumbing resulting from misuse, shall be the sole responsibility of, and will be borne by, Tenant/owner.

Children under the age of 12 must have a parent or guardian at least 18 years of age with them at all times.

Swimwear must be appropriate and family-friendly.

All beverages must be in a plastic container. No glass containers or bottles are allowed in pool area. Owners subject to pay for damages/clean up remediation if glass is broken in pool area

Tenant/owner will not let a person in the pool area without a proper key. There could be a liability issue for people who use the pool who are not authorized or live in the community.

Pool Key replacement: Owners are responsible for their pool key. Tenants cannot request pool keys, ONLY the owner of the villa can request a replacement. A replacement request can only be made to a board member or Property Manager. The board will require a \$50.00 fee for the replacement of a pool key.

NOTE: After issuing warnings, and failure to correct the issue, the board has the right to FINE owners/tenants for inappropriate behavior and or failing to abide by the community rules and by-laws.