

THE
VILLAGE  GRANDE®
AT ENGLISH MILL

RULES AND REGULATIONS

The Architectural Control Committee (ACC) establishes *Rules and Regulations* to preserve the character of Village Grande at English Mill as a high quality planned adult community. ACC restrictions maintain external architectural consistency, visual and esthetic harmony and soundness of repair to avoid activities deleterious to the aesthetic and property values of the Community. The Committee's decisions are designed to protect the safety, health, comfort and general welfare of every Homeowner, their guests or lessees.

The duties, powers and authority of the ACC are detailed in Article IX of the *By-Laws of Village Grande at English Mill Homeowners Association, Inc.* and are legally binding upon every Homeowner in the Community. The Architectural Control Committee's powers include rights to issue Cease and Desist orders and levy fines for violations of the *Rules and Regulations*.

The Homeowners Association's *Rules and Regulations*, limitations and conditions incorporate those contained in the *Public Offering Statement* (registration number R-3823 dated January 13, 2005), as amended by regulations of the Township of Egg Harbor, Atlantic County Utilities Authority (ACUA), Atlantic County Board of Chosen Freeholders, Board of Trustees of Village Grande at English Mill Homeowners Association, Inc. and its Architectural Control Committee.

Nothing shall be done in or to any Home or on, in or to the Common Property which will impair any Home's structural integrity or which will structurally change any Home. In addition, no Owner shall have the right to paint, decorate or otherwise change the appearance of the exterior of his Home, or any portion of the Common Property without the prior written consent of the Architectural Control Committee. — Article IX, Declaration of Covenants and Restrictions

The Board of Trustees designated the Architectural Control Committee to review, evaluate and approve all modification requests. *All* exterior changes, modifications and improvements require the expressed written approval of the Architectural Control Committee *prior* to starting a project. Changes to previously approved work also must be submitted in writing *prior* to proceeding. Application Forms are available at the Clubhouse. Completed Application Forms must be delivered to the Community Manager who will record the request and forward it to the ACC. Applications must include plot survey, *explicit* design details and measured drawings. The Architectural Control Committee reserves the right to apply limitations or restrictions as they deem necessary.

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**ARTICLE IX-9.01
GENERAL COVENANTS AND RESTRICTIONS**

- 9.01 A **THE COMMON PROPERTY** – The Common Property shall be used *only* for the furnishing of the services and facilities for which they are reasonably intended and suited and which are incidental to the use and occupancy of the Homes.
- 9.01 D **OBSTRUCTION AND STORAGE** – There shall be *no* obstruction anywhere within the Entire Tract, nor shall anything be stored in or upon the Entire Tract unless expressly permitted in writing in advance by the Architectural Control Committee.
- 9.01 E **TRASH** - Residents must place all trash, rubbish, garbage and solid waste in the green 65-gallon or 96-gallon wheeled trash container provided each Homeowner by the Township for weekly *automated* collection. All *other* trash containers are *prohibited* by the Township because they are incompatible with *automated* collection. Township Ordinance also *prohibits* placement of black, brown, white or clear plastic trash bags at the curb because they are incompatible with *automated* collection.

Recycling is mandatory. Residents are entitled to receive one free recycling bucket per year from the Atlantic County Utilities Authority (ACUA). Additional blue bins may be purchased from ACUA, 6700 Delilah Road, Egg Harbor Township.

Trash containers must be wheeled to the curb or edge of the street with the rear hinge facing the house and lid closed to prevent trash from blowing through the Community. ***DO NOT PLACE THE CONTAINER BEHIND OR NEAR A VEHICLE, MAILBOX OR TREE*** and leave at least 3 feet between the trash container and any other object (recycling bin, fire hydrant, mailbox or light pole).

Trash and recyclable containers are to be placed at the curb NO earlier than 6 p.m. the night before scheduled pickup, and must be removed and stored in the garage as soon as possible after pickup. **STORAGE OF THE TRASH CONTAINER AND RECYCLE BUCKET IS RESTRICTED TO THE GARAGE INTERIOR.**

Homeowners of record are responsible for loss of, or damage to, the wheeled trash container and must pay the Township for the cost of replacement or repair. The wheeled trash container is owned by the Township and must remain with the assigned House upon its re-sale. New homes in the Community will be assigned a wheeled trash receptacle upon receipt of a Certificate of Occupancy from the Egg Harbor Township Construction Official.

Collection of household carpet and padding is prohibited and must be recycled by the carpet contractor or the resident. It may be recycled by the ACUA for a fee.

Yard Waste - Plant materials from incidental maintenance of gardens, shrubs and trees must be placed in brown, biodegradable paper bags and placed at the curb on the regular collection day, but located 3 feet or more from the trash container.

Bulky Waste - Upholstered furniture, bedding, mattresses, and furniture of mixed composition are collected separately and must be at the curb by 6:00 a.m. on the **FIRST MONDAY OF THE MONTH (FIRST FULL WEEK)**. After the bulky trash is at the curb, residents must call the Township Public Works Division 609-926-3838 to arrange for pickup. (*Not to be confused with Bulk Waste.*)

Bulk Waste - Consumer Electronics (VCRs, DVD players, computers, and TVs); Metal Household Appliances (with all doors, wood and foreign material removed); and up to 4 Tires (without the rims) a month from passenger cars or pickup trucks may be placed at the curb **ONLY ON THE 3RD WEEK OF THE MONTH'S REGULAR TRASH COLLECTION DAY**, but located 3 feet or more from the trash container. After the bulk trash is at the curb, residents must call the Township Public Works Division 609-926-3838 to arrange for pickup.

Dumping - No portion of the Entire Tract shall be used or maintained for the dumping of trash, rubbish or debris.

9.01 F **USE OF COMMON PROPERTY** – No owner or occupant shall build, plant or maintain any matter or thing upon, in, over or under the Common Property.

9.01 G **HAZARDOUS MATERIALS** - No Owner shall use or permit to be brought into or stored in any Home or in or upon the Common Property any inflammable oils or fluids such as gasoline, kerosene, naphtha, benzene or other explosives or articles deemed hazardous to life, limb or property without obtaining *prior* written consent from the ACC. Even with such written approval, Township Ordinance prohibits hazardous materials from being placed or set out for collection either by itself or with permitted materials. The Owner is responsible to dispose of hazardous materials in accordance with Atlantic County regulations.

Chimineas, portable fire pits and any outdoor open fire sources are prohibited. Barbeque grills are permitted behind the living unit but must not be visible from the front yard and must remain clear of lawn care areas.

Cigarette, cigar and pipe smoking are prohibited in any part of the Pinelands Preserve of the Common Property, including all wooded areas and walking paths

9.01 H **DAMAGES** – Every Owner shall be liable for any and all damages to the Common Property that are caused by said Owner, his respective family members, employees, servants, agents, tenants, visitors, licensees or pets.

9.01 I **INSURANCE** – Nothing shall be done or stored in any Home or in or upon the Common Property that will increase rates of insurance of any Home or for the Entire Tract or the contents thereof or that will result in cancellation of insurance on any Home or the contents thereof or which violates any Township, County, State or Federal law or regulation.

9.01 J **STRUCTURAL CHANGES** – Nothing shall be done in or to any Home or on, in or to the Common Property, that will impair the structural integrity of any Home or which will structurally change any Home. In addition, *no* Owner shall have the right to paint, decorate or otherwise change the appearance of the exterior of his Home or any portion of the Common Property without the *prior* written consent of the Architectural Control Committee.

Storm Doors– *Application MUST be submitted to ACC for approval of a Storm Door. All front storm doors must be white or match color of the front entry door and be constructed of one panel of clear glass or half-panel glass.*

Solar Panels - See page 10. Emergency Power Generators - See page 11.

9.01 K **HANGING ARTICLES** – No Owner shall cause or permit any clothesline, poles or clothes trees, clothes, sheets, blankets, or laundry of any kind or other articles to be hung or displayed on the outside of windows or placed on the outside windowsills, walls, or patio of any Home or area of the Common Property.

House Ornaments, Displays and Signs – *Decorative plaques not exceeding 12” x 18” in the front or maximum of 36” x 36” in the rear of the Home are permitted. No message may be offensive to the Community or any of its residents.*

Hanging Flower Baskets - *Hanging Flower Baskets may be hung only from overhead structures, under eaves of the house or porch, with a maximum of three. Dead plants in containers must be removed. **Artificial flowers are prohibited.***

Bird Feeders and Birdhouses – *Bird feeders and birdhouses are permitted only in the rear of the home, providing they don’t create a nuisance. Bird feeders and birdhouses may not be ATTACHED TO or HUNG FROM the Home or the street tree. Ground feeding of any species of bird or animal is prohibited.*

Holiday Decorations - *Holiday decorations may be affixed to windows or the outside of the Home, mailbox, trees and/or shrubbery. Installation and activation of holiday decorations may not take place sooner than one (1) month prior to the holiday and MUST be removed no later than three (3) weeks following the holiday. Seasonal decorations may be displayed throughout the appropriate season (Spring, Summer, Fall, Winter).*

***Flags** – One American Flag plus one sports flag or one holiday flag may be flown from a flagpole bracket attached to the Home. The maximum size of the flag must not exceed 3 feet by 5 feet. In-ground poles are prohibited. Small decorative American flags may be placed in the landscape beds.*

***Awnings** – Retractable fabric self-storing awnings are permitted on the rear of the Home over the patio. Color, size and quality of the awning **MUST** be pre-approved in writing. Stripes are allowed, provided they are limited to two (2) colors. A material swatch must be submitted with the application.*

9.01 L **UNLAWFUL ACTIVITIES** – No noxious, immoral, improper, offensive or unlawful activity shall be carried on in or upon the Common Property or in any Home, nor shall anything be done therein either willfully or negligently which may be or become an annoyance or nuisance to the Owners within the Entire Tract. All laws, zoning ordinances and regulations of all governmental bodies having jurisdiction over the Entire Tract shall be observed.

9.01 M **CLEANLINESS** – Owners shall keep their Home in a good state of preservation and cleanliness. Fines will be levied for failure to maintain standards.

9.01 N **PATIOS** – The construction of decks is prohibited. Building a patio shall require the *prior* written approval of the ACC and shall not be used for storage purposes including, but not limited to, major appliances, auto parts, storage containers or bicycles. Use of in-ground barbeques and/or other types of cooking apparatus are prohibited. *Portable barbeque grills are permitted behind the home, but must not be visible from the front yard and must remain clear of lawn care areas.*

***Applications for patios** must be submitted in writing for approval **prior** to construction. Grading of the property may not be disturbed. Patio size must be in the range of 10 feet by 10 feet or 10 feet by 20 feet.*

***Patio walls (not to be confused with landscape walls** discussed in 9.01AA) shall not exceed 18 inches in height from the floor of the patio. Columns and/or lighting fixtures utilized separately or in combination may not exceed 48 inches in height. Pictures of all components used in the patio walls must be included with the application (i.e.; pavers, walls, columns, light fixtures, etc.) The constructed patio may not extend beyond the side boundaries of the Home’s building envelope. All applications will be considered on an individual basis utilizing, but not limited to, lot size, Home model and screened porch or sunroom.*

***Mulch Beds or stone borders** are permitted around flower beds or patio, but must be shown on the application for approval. Mulch must be black in color.*

***Mulch beds must be weeded and maintained by the Homeowner.** Fines will be levied for failure to maintain mulch beds in satisfactory condition after June 1.*

Sprinkler System – *Patio alteration requires an inspection of the irrigation system by HOA irrigation contractor prior to approval of an application. Position of sprinkler heads and pipes must be indicated on application.*

Furniture – *Outdoor furniture is restricted to porches and patios. All furniture must be secured when not in use. Outdoor furniture must not obstruct landscape maintenance.*

Patio Storage Units - *Patio deck box or seats (used for storing patio essentials such as chair pads, furniture covers, patio tablecloths, etc.) may not exceed 24 inches high by 54 inches wide by 30 inches in diameter.*

9.01 N **PATIO PERGOLAS** - Construction of a pergola on the patio shall require the *prior* written approval of the ACC and is subject to the following restrictions:

Pergola must *not* exceed the length or width of the patio (10' x 10' or 10' x 20')

Pergola must be self-supporting and may *not* be enclosed on any side or have a covered roof.

Pergola color must match the Home's exterior trim color. Application must specify the Pergola color and exterior trim color.

NO attachments of any kind may be placed on the pergola. This includes but is *not* limited to:

- No climbing plants, vines, etc.
- No hanging baskets
- No lighting systems of any kind
- No lattice or lattice-like structures

9.01 O **LIGHTING** – No Owner shall install any floodlights on the exterior of a Home, patio or flower bed without *prior* written consent of the ACC.

Exterior Home Lighting Changes *must be approved prior to installation. Fixtures must be comparable in size and design to original developer-installed fixtures, and may not exceed 21-inches in height from ascending tip to descending tip. Fixtures must be either brass, white, matte black or bronze patina in color. They may not disturb or cause any concern to other Homeowners. Replacement fixtures may contain a motion sensor, or dusk to dawn attachment, as pictured in Figure 1. A **picture of the proposed replacement fixture, and detailed dimensions, must accompany the application for approval.***

Solar Ground Lights are permitted in the front landscape beds only.

Exterior Lighting Back of Home shall not disturb or interfere with the comfort of the neighbors' living space. Motion sensor's security light may not exceed 150 to 180 degrees. See Figure 2.

Party Lights may be used for special occasions but must be removed or extinguished immediately following the event.

9.01 P **ANIMALS** - No exotic birds, animals or reptiles of any kind shall be raised, bred or kept in any Home or on any Lot or Common Area, except that dogs (other than trained attack or guard dogs) and domestic cats are permitted as pets but MAY NOT EXCEED in the aggregate two per Home and provided, however, they are not kept, bred or maintained for any commercial purposes, are housed within the Home and the Owner having such pets abides by all applicable *Rules and Regulations*. No outside pens, runs, cages, stakes or yards shall be permitted. ***Dogs and cats must NEVER BE LEFT UNATTENDED while outside.***

Curbing – All dogs and cats must be leashed, walked in the street and their waste immediately picked up by the Owner and properly disposed of in accordance with all Township, County and State laws.

9.01 Q **COMMERCIAL VEHICLES** – No commercial vans or trucks, which shall be deemed to include any vehicle bearing commercial signs, lettering or equipment, may park overnight on Common Property nor on any lot, except WITHIN a garage and *no* vehicles over 20 feet in length (boats, trailers, campers, mobile homes, recreation vehicles, motorcycles, motor scooters) may be parked on any part of the Property *except* (1) vehicles temporarily on the Property servicing the Common Property or one of the Homes; (2) vehicles temporarily on the Property for the sole purpose of loading or unloading; and (3) for the Developer, its employees, agents, contractors and servants. The Board of Trustees, through promulgation, adoption and publication of *Rules and Regulations*, may and is hereby empowered to further define those vehicles which are prohibited from parking on the Property.

9.01 R **VEHICLE MAINTENANCE** – No servicing or maintenance of any vehicle, boat or other item of personal property shall be performed anywhere on the Entire Tract, including driveways appurtenant to Homes.

9.01 S **GARAGE DOORS** – Garage doors shall be kept closed at all times when a vehicle or person is not entering or leaving the garage. Window panels may replace the solid upper panel of garage doors upon *prior* written request to the Architectural Control Committee. Application must include window style to be installed and is restricted to two styles shown below in *SP 27* and *SP 20*. Window selection must be compatible with style of windows in the Home. Only garage door's first (upper) panel may be approved for replacement with window panels.

- 9.01 T **WINDOW TREATMENTS** – Draperies, blinds, shades or curtains must be installed by each Owner on all windows of his Home and must be maintained in said windows at all times.
- 9.01 U **SIGNS** – No sign or signs shall be placed on any part of the Entire Tract advertising the Property for sale, rent or lease, or for any other purposes whatsoever except as provided in this Declaration. No sign of any type visible from the exterior of the Home shall be placed on the window surface of any Home, except for a security alarm company decal or by the Developer for marketing purposes during the ordinary course of business.
- 9.01 V **TITLE TRANSFERS** - In order to provide an orderly procedure in the case of Title Transfers, and to assist in the maintenance of a current, up to date roster of Owners, each Owner shall give the Community Manager timely notice of his intent to list his Home for sale, and upon closing of Title shall forthwith notify the Community Manager of the names and addresses of the purchasers. A copy of the *ACC Rules and Regulations*, as amended, and the *Public Offering Statement*, as amended, shall be furnished by the Owner to the prospective buyer in advance of Settlement and shall become binding upon the prospective buyer by acceptance of a deed for a Home or by acceptance of Title to a Home as a devisee or heir.
- 9.01 W **VEHICLES** – No bicycles, baby carriages, wagons or similar non-motorized vehicles or toys, nor mopeds, motorcycles or similar motorized vehicles shall be parked or otherwise left unattended anywhere in the Entire Tract, except that a licensed motorcycle may be parked in any designated parking space.
- Parking is prohibited in front of any mailbox, driveway or intersection.*
- Skateboarding and razor scooters are prohibited anywhere in the Entire Tract.*
- 9.01 X **ANTENNAS and SATELLITE DISHES** – No Owner or tenant thereof shall erect or maintain an exterior *antenna* on any Home within the Entire Tract unless approved by the ACC. Satellite *dishes* are permitted if no larger than 39 inches in diameter or diagonal measurement, but require ACC's *prior* written approval.
- Satellite dishes must be installed in the rear of the Home below the roof line and may not exceed the height of the roof peak. Location of the satellite dish must not interfere with the enjoyment of adjoining property Owners. The Homeowner must indemnify the Association and its members from any personal injury and property loss or damage caused by the installation, maintenance or use of a satellite dish.
- 9.01 Y **MAILBOXES** – Vehicles are prohibited from parking adjacent to mailboxes or in any location that impedes access to a mailbox.

Curbside Planting – NO planting is permitted on, around or above the mailbox or curbside trees. This is Common Ground.

9.01 Z **FENCES** – No fences or sheds of any kind shall be constructed or placed ANYWHERE on the Entire Tract.

9.01 AA **LANDSCAPING** - The maintenance, watering and weeding of all plant beds and trees is the Homeowner's responsibility and *not* part of the Common Area irrigation and maintenance. Fines may be levied for failure to adequately maintain plant beds and trees. Planting of *annuals* shall not require approval of the Architectural Control Committee. Planting of fruits and vegetables is prohibited. **Artificial Flowers or Artificial Plants are Prohibited.** The mulch used in plant beds around foundations and around trees will be restricted to the color black in order to maintain consistency throughout the community.

No Owner, tenant or lessee shall remove any plantings installed by the Developer within the Common Property. Diseased or dead trees installed by the Developer should be reported to the Community Manager.

Extending Flower Beds and Landscape Walls - No Owner, tenant, lessee or private contractor shall change the size, composition and configuration of flower beds, nor add shrubs and trees, nor erect landscape walls without *prior* written approval of a *Landscape Plan and Modification Application* by the Architectural Control Committee. Applications are available at the Clubhouse. **Failure to obtain approval prior to the start of construction will result in fines and orders to demolish and remove all non-conforming construction at Owner's expense.**

Size of Flower Beds, Landscape Walls, Shrubs and Trees shall be limited by lot size and configuration; location of swales and sprinklers; mowing requirements; snow removal; and selection of species whose root systems and *mature* size will *not* endanger structural integrity of any Home, underground utilities or irrigation system. *Planting or construction is prohibited within 2 feet of a swale center.* **Spread of shrubs and evergreen trees in lawn areas may not exceed 6 feet in diameter at maturity.**

Homeowners may replace mulch with stone (commonly called River Rock or Coventry Rock) only if an application is submitted to the ACC and approved. Stones must be 1" to 6" in diameter and contained by a border with a minimum height of six inches (6"). Borders may not be composed of metal. Also, Homeowners who wish to make additional planting beds of any type must submit an application to the ACC for review. Only after obtaining written ACC approval may Homeowners modify their landscaping. ACC applications are available at the clubhouse.

Landscape Walls - Landscape walls (*not to be confused with Patio Walls discussed*

under 9.01 N) near an irrigation head **may not be higher than 6 inches** and curved walls, pavers and plantings may not block any irrigation head or impede irrigation coverage. The system must be able to water the original target area without use of risers to elevate the head height. Landscape walls *not* located near an irrigation head shall be limited to 12 inches in height, including the cap, and must be of maintenance-free material. Use of wood is prohibited.

Sprinkler System - The underground pipes and sprinkler heads on each lot are owned by the Village Grande at English Mill HOA, Inc. and *not* the individual Homeowner. The layout of the underground irrigation system varies on each lot and must be identified by the Association's designated landscape authority and an inspection certification issued by that authority *before any Landscape Plan and Modification Application* is approved by the Architectural Control Committee. Cost of the on-site irrigation inspection as well as cost to move or adjust sprinkler heads is the responsibility of a requesting Homeowner. *No* resident or privately hired contractor may work on the irrigation system. **Addition of sprinkler heads to the common irrigation system is prohibited.**

Utility Landscape Buffers - Plantings to screen utility vaults and boxes are prohibited. Under State regulations utility companies have the right to remove any plantings that interfere with the operation and safety of their equipment, or impede access to service their equipment and underground lines.

Ornaments and Shepherd Hooks are restricted to within the mulch beds and limited to a maximum of two within a single bed.

Arbors, Lattice Fencing and Trellises are prohibited.

Failure to obtain written ACC approval before making exterior changes to your home will require a post-application fine of \$50.00 to be attached to blue Landscape Modification application along with \$50.00 landscape inspection fee.

9.01 BB **LAWS** - The Home and Common Property shall be subject to all applicable Federal, State and Township laws, statutes, regulations and ordinances.

None of the restrictions contained herein shall be construed as prohibiting the reasonable adaptation of any Home for use by any eligible person pursuant to any applicable Federal and/or State law establishing such rights for physically challenged, disabled and/or handicapped persons.

Nothing shall be done to any Home or on or in the Entire Tract which will impair the structural integrity of any Home or which will structurally change any Home.

SOLAR PANEL SYSTEMS - A roof-mounted Solar Photovoltaic (PV) System

(a.k.a. *solar panels*) is permitted but requires *prior* written approval of the ACC. Installation other than on the Homeowner's roof is strictly prohibited.

Applications are available at the Clubhouse and must include detailed scaled construction drawings showing location, size, color and rating efficiency of solar electric modules, exterior conduits and other exterior system components. ***Once approved, deviation from construction drawing specifications will result in fines and orders to remove non-conforming construction at the Owner's expense.***

Capability of the roof structure to support the Solar PV System load and lift must be certified by a licensed architect or structural engineer. System must be designed and installed by a professional, licensed contractor. Photographs, manufacturer's description of the system and color selections must accompany the application.

Solar PV System's array must be flush mounted as depicted below and all components must integrate with the Home's exterior design. Color of the system components should conform to the roof shingle color to the extent practical (i.e., black frames on dark colored shingles, silver frames on light colored shingles). Installations shall be done in a manner to reasonably reduce visibility from the street and Common Area to the extent possible and permitted by law.

Exterior conduits must be hidden from sight, either in the attic, garage, basement or under eaves, and color-coded to match roof shingles, eaves, siding or stucco where not reasonably possible to conceal them. The DC and AC disconnect boxes, inverter, main electrical panel alterations and other exterior components (excluding solar panels) also must be concealed or color-coded to blend with the structure.

Homeowner must indemnify the Association and its members from any personal injury, liability, property loss or damage caused by the installation, maintenance or use of a solar energy system. The Owner also must provide for the safety, maintenance, repair or replacement of the solar system to the satisfaction of the Association. In particular, the Owner, his tenants or lessees must keep solar panels free of dried leaves and combustible debris, and be cleaned at least twice a year.

Prior ACC approval is required to obtain an Egg Harbor Township building permit. Installation is subject to approval of a Township inspector. To avoid unnecessary expense, Homeowners should *not* apply for a permit until application is approved by the ACC. Copy of the permit must be filed with the Community Manager.

EMERGENCY POWER GENERATORS - Natural-gas-powered generators to supply electricity to critical areas of the home in the event of an electrical power failure are permitted on restricted portions of some lots but require *prior* written approval of the ACC. Installation is *not* possible on all lots due to location of swales and irrigation system as well as lot size and configuration.

Applications are available at the Clubhouse and must include scaled construction drawings showing location, size and rating efficiency of the generator and exterior system components. ***Deviation from approved specifications will result in fines and orders to remove non-conforming construction at the Owner's expense.***

Installation of natural-gas-fired backup generators on swales is prohibited. ***Installation of an emergency power supply generator in front of any window is prohibited to avoid poisonous carbon monoxide exhaust gas from infiltrating the house even with all windows closed.***

The backup power generators must be installed at least 5 feet from the side of any window frame, according to Egg Harbor Township regulations in February, 2013 and at least 3 feet from any sparking device. Generators also must maintain at least 3 feet clearance on all sides for maintenance and ventilation, and located where air inlet and outlet openings will not be blocked by leaves, grass, snow or debris. System must include a double-pole, double-throw transfer switch to protect against dangerous backfeed of electricity and have gas meter sized for generator's needs.

Location of a natural-gas-fired generator requires inspection of the underground irrigation system by the Association's designated irrigation authority and an inspection certification issued by that authority *before* an application is approved by the Architectural Control Committee. Cost of the on-site irrigation inspection as well as cost to move or adjust the sprinkler system is the responsibility of a requesting Homeowner. *No* resident or privately-hired contractor may work on the irrigation system. ***Failure to obtain approval prior to starting installation will result in fines of \$50 a day until brought into compliance.***

Prior ACC approval is required to obtain the necessary Egg Harbor Township Zoning, Construction, Electrical, Plumbing and Fire Protection permits. To avoid unnecessary expense, Homeowners should *not* apply for the 5 Township permits until the application is reviewed and approved by the ACC. Completed installation is subject to approval of Township inspectors. Copy of all permits and inspection certificates must be filed with the ACC via the Community Manager. Homeowner must indemnify the Association and its members from any personal injury, liability, property loss or damage caused by installation, maintenance or use of an emergency power generator. Owner, his tenant or lessee must provide for the generator's safety, maintenance or replacement to the Association's satisfaction.

Portable Generators - A portable gasoline-fired generator to supply electricity to critical areas of the home in the event of an electrical power failure is prohibited from operating inside a garage to avoid poisonous carbon monoxide exhaust gas from infiltrating the house even with the garage doors open.

Gasoline-powered generators must be located outdoors and are ***prohibited from***

operating on swales. Portable generators shall be operated at least 5 feet from a house and 3 feet from any sparking device, unless greater distances are required by the manufacturer's operating manual or Egg Harbor Township Ordinance, if applicable.

All connections must comply with the National Electric Code. *If* connected directly to the Home's main circuit panel, Homeowner, his tenant or lessee must hire a licensed electrician to install a UL-listed interlocking plate, a double-pole breaker sized to the generator's output, and a twist-lock 4-prong receptacle. An improperly connected generator can result in dangerous backfeed of electricity.

Unlike natural-gas-fired generators, portable gasoline-powered generators are *not* meant to be used 24-hours-a-day for 2 or 3 days, but are designed for contractors' use for limited periods of time when on a job site. ***Gasoline-powered generators should not be operated while sleeping, unless required by critical medical equipment, and must never be left operating while a resident is away from the house.***

9.03

RESTRICTIONS on ALTERATIONS - No Owner (other than the Developer) may make structural additions, alterations or improvements in or to his Home or upon or to the Common Property, or impair any easement of record or referred to in this Declaration without *prior* written consent of the Architectural Control Committee. No additional changes are permitted to the Home unless permitted by Township of Egg Harbor zoning ordinance.

Applications - Homeowner shall submit an application to the Architectural Control Committee for any proposed change to their lot or exterior of their dwelling unit. Homeowner will receive written notification of the application status from the Community Manager within 120 days of submission. Application approval is valid for six (6) months or as otherwise specified in the approval. Homeowner must obtain all permits required by any Township, County, State or Federal government entity *prior* to starting construction or demolition.

If an application is rejected, a written reply shall be sent to the Homeowner. All changes and modifications require the expressed written approval of the ACC *prior* to the start of any project. **Failure to obtain approval *prior* to the start of a project and any deviation from approved plans will result in fines and orders to demolish and remove non-conforming construction at the Owner's expense.**

Proposed changes or deviations from an approved application also must be approved in writing *prior* to proceeding.

The Owner shall notify the Community Manager of the completed construction and readiness for a final inspection by the ACC to prove conformity with the previously approved application and any subsequently approved modifications.

Building Permits - Prior approval of the ACC is required to obtain Township approval and the issuance of an Egg Harbor Township building permit. Completed construction is subject to approval of a Township inspector. To avoid unnecessary expense, Homeowners should *not* apply for a building permit or zoning variance until their application is first reviewed and approved by the ACC. Once a permit is obtained a copy must be submitted to the ACC via the Community Manager.

9.05

RULES, REGULATIONS and FINES - The Board of Trustees is hereby empowered to promulgate, adopt and publish such *Rules and Regulations* as may be necessary to carry out the intent of restrictions established in Sections 9.01 to 9.04 of this Declaration and shall have the right to bring law suits suffered by the Developer and the Architectural Control Committee as a result of such action to enforce the *Rules and Regulations* so established. Without limiting the foregoing, to the extent that New Jersey law may permit, the Architectural Control Committee or the Board of Trustees, whichever is applicable, shall further have the right to levy fines for violations of the Governing Documents, provided that the fine for a single violation may not, under any circumstance, exceed the maximum amount permitted by law. Each day that a violation continues after receipt of notice by the Owner may be considered a separate violation. Any fine so levied shall be considered as a *Remedial Common Expense Assessment* to be levied against the particular Owner, and collection may be enforced by the Board of Trustees in the same manner as the Board is entitled to enforce collection of other *Common Expense Assessments*.

It is the Homeowner's responsibility to thoroughly familiarize himself with the contents of the *Rules and Regulations* as well as the *Public Offering Statement*, which includes the Governing Documents of The Village Grande at English Mill Homeowners Association, Inc.

The Rules and Regulations contained herein are not all-inclusive and are subject to periodic amendments, revision and distribution.

Questions regarding the content of this document should be addressed to the Community Manager at (609) 788-8405.

GENERAL PROVISIONS

12.05

VALIDITY - The invalidity of any provision of the Architectural Control Committee *Rules and Regulations* or By-Laws of the Association shall not be deemed to impair or affect the validity or enforceability of the remainder of the *Rules and Regulations* or By-Laws and all other provisions of these *Rules and Regulations* and By-Laws shall continue in full force as if such invalid provisions had never been included.

12.06 **WAIVER** - No provision contained in the Architectural Control Committee's *Rules and Regulations* shall be deemed to have been abrogated or waived by reason of any failure to enforce same, irrespective of the number of violations or breaches which may occur.

12.07 **GENDER and NUMBER** - The use of the masculine gender in these *Rules and Regulations* shall be deemed to refer to the feminine gender and the use of the singular shall be deemed to refer to the plural, and vice versa, whenever the context so requires.

12.10 **CONFLICT** - In the event that any provision of the Architectural Control Committee's *Rules and Regulations* is in conflict with any mandatory provision of any applicable Federal, State, County or Township statute, regulation, resolution, Ordinance or other judicial, legislative or executive "law," the terms of such statute, regulation, Ordinance or other law shall govern.

In the event that any terms and conditions set forth in the foregoing Architectural Control Committee's *Rules and Regulations* differ from those set forth in the original *Public Offering Statement*, these *Rules and Regulations* shall govern.

DEFINITIONS

ACC	Architectural Control Committee of The Village Grande at English Mill Homeowners Association, Inc.
ACUA	Atlantic County Utilities Authority
The Association	The Village Grande at English Mill Homeowners Association Inc.
Biodegradable Bags	A paper bag which is designed and manufactured to decompose by a natural biological process.
Board of Trustees, and the Trustees	Board of Trustees of The Village Grande at English Mill Homeowners Association, Inc. Egg Harbor Township, NJ.
Bulk Waste	Consumer electronics, metal household appliances, tires from passenger cars and pickup trucks, wood, lumber and brush. (<i>Not to be confused with Bulky Waste.</i>)
Bulky Waste	Upholstered furniture, bedding, mattresses, and furniture of mixed composition.
Common Property	The common lands and facilities provided within the Community for the use and enjoyment of all Owners in the Community and owned by the Village Grande at English Mill Homeowners Association, Inc. The Common Property includes the recreation facilities, landscaped grounds, street trees, irrigation system, wells, drainage basins, parking areas, common driveways, common sidewalks and common open spaces interspersed throughout the Entire Tract.
Developer	D. R. Horton, Inc. – New Jersey
Entire Tract, and The Community	Approximate 199.73 acre, 397-home planned unit development known as The Village Grande at English Mill
Home	A house or residential structure within The Village Grande at English Mill, Egg Harbor Township, New Jersey.
The Owner, and Homeowner	Registered deed holder of a fee simple residential property in The Village Grande at English Mill as recorded in the Atlantic County Clerk's Office
The Township Yard Waste	Township of Egg Harbor, Atlantic County, New Jersey Plant materials resulting from incidental residential lawn, tree, shrub, living plants, weeds and garden maintenance.

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