

Property Owner Responsibilities and Requirements

The following Property Owner Responsibilities and Requirements are based upon

- 1) Restrictive Covenants for Harbor Watch Subdivision and/or
- 2) Rules and procedures adopted by the Board of Directors of Harbor Watch Subdivision.

Note: In case of any conflict between wording of this document and the Restrictive Covenants, the Restrictive Covenants' wording prevails.

1. Using Our Property

- a) Lots shall be used for residential purposes only, with one detached, single family dwelling and related structures incidental to residential use.
- b) No motor vehicle, tent, barn, garage, outbuilding or any temporary structure can be used as either a temporary or permanent living structure.
- c) No noxious or offensive trade or activity shall be carried on upon any lot. Any activity that may become an annoyance or nuisance to the neighborhood is not allowed (See Appendix A).
- d) No hunting or trapping of any wildlife, including, but not limited to birds, ducks, geese, turkeys, or deer shall be permitted within Harbor Watch subdivision.
- e) Discharging of firearms within Harbor Watch subdivision is strictly forbidden.

2. Maintaining Our Property

- a) It is the Lot Owners responsibility to maintain the acceptable appearance of the lot, i.e., brush control and removal of debris accumulation of any nature.
- b) Lot Owners' responsibility also includes repair or replacement as necessary of any roadway or common property that is damaged by themselves, their agents, contractors, or invitees.
- c) The Association has the right, in its sole discretion, to perform the above maintenance or repair, if not completed by the owner, and charge actual costs back to the Lot Owner.

3. New Home Construction

See Harbor Watch Homeowners "Home Construction Guidelines" for initial construction requirements.

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4. Changes/Modifications/Additions after Initial Construction

- a) Any major change or modification to lot property, existing structure(s) and/or addition of incidental structures must be submitted and approved in advance by the Architectural Review Committee.
- b) Submitted plans must include the design, location, and construction of all improvements.
- c) Procedure to submit plans can be found under the “Home Construction Guidelines”.
- d) Normal time to complete changes, modifications or additions is expected to be four (4) months. If the project is not completed within one year, the Homeowners Association has the right to require that the property be returned to its original grade level and condition or, with 20 days notification to Lot Owner, the Association may have it done and charge costs back to the Lot Owner.
- e) No Trees of any kind with a diameter in excess of 6 inches at the ground level are to be removed from any lot without the permission of the Architectural Review Committee. This requirement is waived if the tree(s) are located within the building site or within 20 feet of the main dwelling.
- f) Above ground swimming pools are not allowed. Bottle gas containers and oil tanks shall be screened from public view.

5. Vehicles, Boats & Trailers

- a) The following vehicles are not permitted to be parked on residential lots, the boat ramp area, or the community roads and easements within the Harbor Watch Subdivision unless stored in a garage:
 - Trailers and unlicensed vehicles such as antique cars/trucks, junk vehicles, salvage of any sort, unserviceable vehicles or vehicles undergoing extensive repairs, i.e., repairs requiring more than two weeks to complete
 - Travel trailers, motor homes, and large trucks, large trucks being defined as any motor vehicle larger than a pick-up truck.
 - Cars, pick-up trucks, and similar vehicles not used regularly.
- b) Vehicles such as boats and other watercraft and trailers may be parked Temporarily within Harbor Watch on the homeowner’s property outside of the garage for the purposes of:
 - The imminent launching or retrieving of a watercraft from the Harbor Watch boat ramp, i.e., within two (2) days; and/or
 - Performing minor repairs and/or maintenance on these vehicles, which will require no more than 14 days to complete.

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- c) Large trucks may be parked overnight outside of a garage within Harbor Watch if associated with an on-going construction project in the subdivision.
- d) Temporary storage containers, such as PODs or enclosed trailers, may be placed on the homeowner's property outside the garage for up to 30 days; however, any further extensions of time require written approval in advance from the Architectural Review Committee.

6. Storage of Trash/Unsightly Material

- a) Junk of any sort, salvage, trash, rubbish, or other refuse shall not be stored, placed, or allowed to remain on any lot in the Subdivision.
- b) Landscape material(s) should not be stored on a residential lot for more than 30 days.
- c) Trash, garbage, or waste must be maintained in sanitary containers that are screened from view of all roads, other lots, and Common Property.
- d) Building materials cannot be stored on a lot until the Architectural Review Committee has approved the submitted plan.

7. Incidental Residential Structures

Incidental structures related to residential use, such as garages, are permitted, however, all incidental structures must be approved in advance by the Architectural Review Committee per procedures listed in Section 4.

8. Signs

- a) There shall be no signs, fencing or parking permitted within the road right of way. This right of way extends approximately 15 feet beyond the edge of the private road.
- b) Signs or billboards designed or sponsored by Lot Owners are not permitted upon any lot.
- c) The Architectural Review Committee has approved regulations for a uniform "For Sale" sign policy, that includes design, color, and sign placement location. These signs are the only ones approved for both Realtor and/or Owner lot and home sales.
- d) Contact the Architectural Review Committee to obtain pricing and/or order a "For Sale" sign.

9. Animals and Pets

- a) No animals or poultry of any kind may be kept or maintained on any Subdivision lot, except for a reasonable number of dogs, cats, and other indoor house pets.

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- b) It is the owner's responsibility to ensure that dogs are kept on the owner's property unless leashed and/or personally supervised.
- c) The Association may have strays and dogs that are not leashed or supervised and found off the owner's lot to be picked up by governmental authorities.

10. Outside Semi-Permanent Property

- a) Large satellite dishes or antennae towers are not permitted.
- b) Small satellite dishes i.e., Direct TV and Dish Network, should be screened, as much as practical from both the roads and the lakes.
- c) Outside clotheslines are not allowed.

11. Inland Lake Access and Usage

- a) Lot Owners, their families and invited guests accompanied by Lot Owners are limited to the stipulated access areas and surface waters of the lakes.
- b) There is no right to trespass upon any lands adjoining the inland lakes without the consent of these landowners.
- c) Fishing during daylight hours is permitted to Association members and accompanied guests through the use of rod and reel, pole or hook and line only. Only one fishing outfit per person with no more than 2 hooks is permitted.
- d) Fishing in these lakes is "catch & release" only.

12. Inland Lake Restrictions

- a) No gasoline or liquid powered engines shall be used in any way on the lakes.
- b) All boats shall be less than 14 feet in length.
- c) Permitted boat types include sail boards, sail boats, canoes, row boats, paddle boats or boats powered by electric motor.
- d) No seining or trapping of fish is permitted.
- e) No swimming is permitted.
- f) No piers are permitted.
- g) No Property Owner shall have the right to draw water from the lakes for any purpose, including, but not limited to, irrigation.
- h) There shall be no dumping or discharging of any foreign substance or material into the lakes that shall be harmful or detrimental in any way to the quality of the water and wildlife.
- i) There shall be no storage of any hazardous materials within one hundred (100') feet of the shoreline.
- j) No animal life shall be introduced into the waters of the inland lakes.

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13. Use of Our Boat Ramp, Boat Slips and Park Area

- a) Only Lot Owners, their families and invited guests accompanied by Lot Owners are permitted to use the park area, boat ramp and boat slips (Lot 138).
- b) Boat slips are to be 'Daily Use Only', i.e., boats are not to be left in the slips overnight.
- c) No overnight vehicle or boat trailer parking in or around the boat ramp area is permitted.

14. Use of The Harbor Watch Storage Facility

- a) The Storage Facility's purpose, as set forth in the Declaration of Restrictive Covenants of Harbor Watch Subdivision is solely for dry boat storage.
- b) Only Lot Owners who are current in their paid annual dues are permitted to use the Storage Facility (Lot 176). Lot Owners who use the Storage Facility accept full liability and responsibility for those items stored in their name(s).
- c) The When unoccupied space is available, the Storage Facility can be used for serviceable and currently licensed vehicles, boats, boat trailers, and noncommercial trailers belonging to Lot Owners. Vehicles are defined as automobiles, motorcycles, pickup trucks, SUVs, and recreational vehicles (RVs) of 28 feet or less in length. Boats are defined as sailboats, personal watercraft, pontoon boats, or any other boat not exceeding 28 feet in length and 9 feet in width. Trailers are not to exceed 28 feet in length. Both licensed and unlicensed trailers are permitted in the Storage Facility. Items other than vehicles, boats, or trailers may be stored in the Storage Facility by special written permission of the HOA Board. The Board reserves the right to limit the number of items a Lot Owner may store at the Storage Facility and to change these restrictions as needed.
- d) A Board-issued ID label must identify all items that are stored in the Storage Facility. Approval for storage will last until the label is invalidated.
- e) Trucks (other than pick-up trucks and SUVs) and tractor-trailers are not permitted in the Storage Facility.
- f) With respect to any item of any kind that is stored in the Storage Facility and does not meet the requirements in b), c), or d) in this section, the Homeowners Association Board has the right to require its removal, or with 20 days notification to the Owner, the HOA Board may have it removed and costs charged back to the Owner.
- g) Repair work on vehicles, boats and trailers may not be done within the Storage Facility. See **Section 5. Vehicles, Boats & Trailers** in the Property Owner Responsibilities and Requirements document.

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15. Use of Our Harbor Watch Islands

- a) Only Lot Owners, their families and invited guests accompanied by Lot Owners are permitted to use the two Harbor Watch islands.
- b) A Lot Owner must be on the island at all times when the island is in use.
- c) Lot Owners using the islands must consistently demonstrate courtesy concerning noise, particularly after sundown.
- d) If pets are brought on the islands, the Lot Owner is responsible for their cleanup.
- e) To ensure that the islands are kept in a pristine condition, all trash, rubbish and, in fact, any items brought to the islands shall be removed when leaving the islands.
- f) It is not permitted to damage or remove any live tree or tree limb without the express permission of the Grounds Committee.

16. Private Street Right of Way

- a) Private street right of way within Harbor Watch is common property owned by the Association
- b) The private street right of way represents the paved asphalt streets and generally 15 feet on either side of the streets
- c) The Association mows and trims grass on the right of way for all undeveloped lots. Property owners are requested to maintain grass on all developed lots, e.g., lots with homes that have been completed.
- d) The Architectural Review Committee (ARC) is responsible for the control of the private street right of way as it pertains to construction, landscaping and/or erosion control. Construction vehicles parking in the right of way will be given consideration during the construction process. Some landscaping such as ivy, shrubs and/or flowers may be acceptable near mailboxes and along the driveway.
- e) All other issues including parking in the right of way will be addressed by the HOA Board up to and including enforcement when necessary. Continual parking in the right of way is an enforceable violation.
- f) Property owners that desire to impact the right of way, e.g., 15 feet on either side of the pavement must submit their request to ARC. There are a number of reasons a property owner might desire to impact the right-of-way, e.g., erosion control. The request should include at a minimum what is planned, why it is needed and when will it be completed. ARC will handle each request on a case by-case basis.

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17. Property Owners' Right to Obtain Relief from Requirements, Covenants and/or Restrictions

- a) Any Property Owner has the right to petition the Board of Directors for relief from any Responsibility or Requirement. Petitions for Relief should be put in writing and mailed or e-mailed to the Board.
- b) Decisions of the Board of Directors are final.

18. Contact Information

Should you have any questions or need additional information, current contact addresses, telephone numbers, for the Harbor Watch Homeowners Association, including those of the Board of Directors and the Architectural Review Committee, can be found at our website at <https://www.harborwatchhoa.com>; the Board can be contacted directly via the web site; or write to:

**Harbor Watch Homeowners Association
P.O. Box 5665
Statesville, NC 28687**

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Appendix A Discussion of Community Activity Levels

There are three-community activity levels addressed in the Harbor Watch Covenants, Restrictions, etc.

- 1) Permitted: Single family homes, residential purposes only
- 2) Prohibited: Nuisance and/or annoyance; and
- 3) Prohibited: Obnoxious and/or offensive

Things that one can see, hear, and smell have the potential to be, at the very least, a nuisance and/or an annoyance. To attempt to minimize subjectivity and provide guidance, the Board has decided that the criteria that will be used by the Board to define prohibited activities will include but not be limited to:

- Providing products and/or service(s) to the public requiring the public to come into Harbor Watch often or on a regular basis will be presumed to be, at the very least, a “nuisance and/or an annoyance” to the community.
- Conducting and/or permitting activity or activities that generates noticeably loud sound(s), strong smell(s), and/or unsightly condition(s) often or on a regular basis will be presumed to be, at the very least, a “nuisance and/or an annoyance” to the community.
- Conducting and/or permitting activity or activities that requires transportation and/or shipping vehicles to come into Harbor Watch often or on a regular basis will be presumed to be, at the very least, a “nuisance and/or an annoyance” to the community.
- Conducting and/or permitting activity or activities that would have a negative impact on the ambiance and/or desirability of the neighborhood should similar activity be done by from ¼ to about 1/3 of the Lot Owners, i.e., about 40 to 55 Lot Owners, will be presumed to be, at the very least, a “nuisance and/or an annoyance” to the community.
- Conducting or permitting an activity or activities that tends to depreciate the value of the property of others will be presumed to be, at the very least, a “nuisance and/or an annoyance” to the community.

A nuisance or an annoyance can take many forms, but all forms can cause distress to neighbors. Some examples of nuisances or annoyances are excessive domestic noise; cats, dogs, or other animals not kept under proper control; noisy or inconsiderate visitors; inconsiderate car parking; parking cars in areas not designated for car parking; unsightly visible garbage; trash or debris; and buildings or structures that have become dilapidated or in need of repair.