

1. Enforcement

Page 10, Article V, Section 5

The Board has the right by the Amended and Restated Declaration of Covenants, Conditions and Restrictions as well as the Second Unified Declaration of Covenants, Conditions, and Restrictions for the resident's section to adopt reasonable rules and regulations. In the event of a violation, upon written notice or a personal visit from the HOA Association, the violation must then be promptly removed or corrected.

1.1 Government Rules and Regulations-In addition to compliance with the rules and regulations of the Association, homeowners and residents are required to comply with all Desoto County, City of Olive Branch, state and federal laws, statutes, rules, regulations and ordinances.

1.2 No Waiver and No Precedent-Similar to the provision stated in the community's Declaration, the failure to enforce any provision of this document shall in no event be deemed a waiver of the right to enforce it later, nor does a belated discovery of a violation affect its status as a violation. Also, a variance granted for one property shall not create a precedent for another.

2 MAINTENANCE REQUIREMENTS

Property owners are responsible for the maintenance of all structures on their property.

2.1 Dwellings and Structures

Residents are responsible for maintaining the exterior of their living units and any other structures on their lots such as fences, decks, approved storage building/structure, and play equipment.

The following list includes examples but is not limited to additional conditions that are in violation of maintenance guidelines.

- Rotten, Peeling or faded wood or paint on trim, doors (entrance and garage), railings, approved storage building/structure, etc.
- Missing, damaged, or mismatched roof shingles
- Dented, loose or missing siding or gutters
- Decks with missing or broken parts or in need of re-staining
- Fences with warped, broken or missing boards or parts or in need of re-staining
- Broken window glass or missing/damaged window parts; including screens, blinds, drapes
- Broken or missing lighting fixtures, porch ceiling fans and lights, or lantern light bulbs / gas mantels
- Missing or damaged shutters or those in need of repainting
- Rusted, peeling, dented lanterns, mailbox, & railings must be repaired & painted as needed
- Faded or damaged tarps, and / or canopies must be replaced
- Exteriors of all structures should be clean and free of mold and mildew
- Keeping lantern in front yard and alley garage light in working order

2.2 Land Maintenance

Ground maintenance includes, but is not limited to mowing grass, trimming shrubbery, edging / weed eating flower beds, trees, shrubs, walkways, inside and street side of sidewalks, etc., removal of dead or weed type vegetation and removal of trash. That includes green waste like clippings or tree leaves, flowers, etc. Ground maintenance rules apply to the front yard, side yards, and back yard or rear of the property.

- Debris must be placed on the homeowner's property, not on the alley/Berms, for garbage pickup

- Blowing grass cuttings in the road is prohibited
- Dumping of debris or lawn clippings or storage of personal items on common areas is prohibited
- Solid block sod zoysia, Centipede, or hybrid Bermuda is required in all front yards
- Yards, landscape beds must be neatly maintained (removal of all weeds, dead growth, and unused stakes, etc.)
- Shrubs against foundations should be consistent and in scale with the home
- Trees should be lifted to a height the pedestrians can walk underneath, as well as vehicles on the streets.
- Contractors must remove all their waste and must be stored out of sight during construction

2.3 Erosion

- Homeowners/residents are responsible for ensuring that their property is protected from soil erosion, and that drainage from the property does not hinder natural drainage or divert drainage to adjoining properties 7-31-2019

3 GUIDELINES BY TOPIC (ALPHABETICAL ORDER) Some items needing clarification or definition are included below along with their page number, article, and section to be located in the covenants.

3.1 Air Conditioners Page 15, Article VII, Section 2, J 3.2 Basketball Maintenance

Page 18, Article VII, Section 3, h, j, m

- The backboard, rim, pole and net must be always maintained in good condition, with no evidence of peeling paint or rust.

3.3 Business (recurring)

Page 17, Article VII, Section 3, h, d

Page 17, Article VII, Section 3 c,

Page 18, Article

- Any business operated in Windstone shall not be a disturbance or bother to other residents or interfere with their right to a quiet and peaceful enjoyment of their property.

3.4 Clothes Lines

Page 18, Article VII, Section 3, m

3.5 Common Areas include but are not limited to ponds, alleys, cemetery, detention pond, swimming pools, berms, and park areas

Page 16, Article VII, Section 3, b, f

Page 16, Article

- No placement of rubbish, yard cuttings, ashes, appliances, debris should be placed on common areas (Berms) and such items must be bagged and or stacked on owners' property for pickup
- No boats, canoes, kayaks, paddle boards, paddle boats, remote control boats/toys, etc. are allowed on the ponds
- Common areas with sidewalks are restricted to pedestrian traffic only.

3.6 Firewood

Page 17, Article VII, Section3, d

3.7 Garage Lights (Alley Homes) 7/31/19

- Garage lights should operate automatically from an electric/solar eye/photocell during nighttime hours. 7/31/2019

3.8 Lanterns - Front Yards Page 15, Article VII, Section 2

- To remain consistent within Windstone, all lanterns must be black and maintained by homeowners.

To remain consistent within Windstone, all lanterns must be gas or electrically wired or Solar and painted black and maintained by homeowners.

Solar Lantern Toppers are an option to gas or electric. An ARA Application is Required. Solar Lantern Toppers must meet the following specifications:

- Be (4) sided
- Minimum of 180 Lumens
- Fits on 3" inch Diameter Post
- Corrosion resistant battery harness
- Weather resistant
- Cast aluminum
- Tempered glass.
- Solar Lanterns require a minimum of 6 hours of daily sunlight, before you select a Solar Lantern Topper, please make sure the location of your lantern will receive sufficient sunlight.

3.9 Mailboxes

Page 15, Article VII, Section 2, 1

- To remain consistent within Windstone, the color of all mailboxes shall be black or black with Verde and mounted on a black or black with Verde wrought iron post and maintained by homeowners.

3.10 Nuisance

Page 18, Article VII, Section 3, h

- All noise issues, including but not limited to animals, music, motorized vehicles, gatherings , etc., and any other violations of the City of Olive Branch, including but not limited to animals, fireworks, inappropriate public behavior, etc., shall be addressed between neighbors and/or homeowner should contact: the City of Olive Branch's Code Enforcement, Animal Control, Police, Fire Department, etc.

3.11 Open Fires

- Portable fire pits should for safety purposes have the screen/mesh top.

3.12 Parking

Page 17, Article VII, Section 3, f

- From September 30th until May 1st a homeowner may submit a written request to the HOA Board to allow an out-of-town guest to park in the swimming pool parking areas for a limited time.

3.13 Pets

Page 16, Article VII, Section 3 b, h

- Homeowners should contact Animal Control if homeowners are in violation of Olive Branch City Code.

3.14 Signage - Political Signs - 2/22/21

Page 16, Article VII, Section 3, c

- To maintain the appearance of Windstone all signage should be placed in flowerbeds
- Signs and Political flags used to promote a public candidate(s), may be displayed 60 days before the election and should be removed one (1) day after the conclusion of the election. Such signs should not be larger than four (4) square feet each. Such flags should not be larger than 3x5 feet.

3.15 Yard Flags and Garden Signs

Page 16, Article VII, Section 3, c - 5-1-2026

- Only one Sign or Garden Flag can be displayed on any portion of the property that is visible from the street and/or alley.

- No additional signs or yard flags are to be displayed in flowerpots, etc. located on front porches or rear patios (unless enclosed within a fence).
- Signs/Garden Flags may not be larger than 24" x 24".
- The only limitation on a Yard sign or Garden flag would be wording that is a call to violence, such as against a religion or ethnic group or specific named person(s) or has profanity

Desoto County or Mississippi State Laws

- Signs in a yard displaying nudity are generally not allowed in DeSoto County or Mississippi. State law prohibits public indecency, and local, state, and county ordinances regulate or forbid public displays of nudity. Such signs or flags are likely to violate obscenity laws and regulations regarding public visibility.

3.16 Storage of Personal Property 2-22-2021 Page 17, Article VII, Section 3, d, i

- Personal property, including but not limited to, ladders, grills, gardening and lawn equipment, bicycles, battery operated riding toys, soccer/baseball nets, used tires, etc. need to be stored when not in use out of sight.
- Porches located on the rear of the property, when visible from a side street, street or alley should maintain a neat and tidy appearance. Storage of debris of any type, including but not limited to, garbage, tires, old appliances, lawn equipment (when not in use), building materials, bags of mulch, etc.
- All Garden Pots, Garden Statues, Garden Benches, etc. must be in a flower bed if visible from the street or alley and maintained in good condition

3.17 Swimming Pools - Personal

Page 18, Article VII, Section 3, q

3.17 Swimming Pools - HOA

Windstone Community Pool Rules

Pool hours 8:00 AM - 10:00 PM

No lifeguard on duty. Swim at your own risk.

The Windstone Community Pools are **for exclusive use** of Windstone Homeowners Association members in good standing and their guests. Members are responsible for their children and guests' behavior at ALL TIMES and are legally responsible for cost of damages and repairs. Children and guests under the age of 14 must be accompanied by a Parent or Guardian.

To enter Windstone Community Pools, Homeowners must use their Pool Access Card. Do not allow anyone to enter without first using their Pool Access Card.

By entering you agree to abide by all Windstone Community Pool Rules.

1. A family friendly atmosphere is required AT ALL TIMES.
2. No offensive language, conduct or behavior
3. No alcohol or tobacco, tobacco-less, e-cigarette type products
4. No diving, running, rough play
5. No playing in or on the Fountain

6. No gum
7. No glass containers
8. No food poolside
9. No Street clothes in the pool
10. No animals, other than service animals
11. No bicycles, motorcycles or wheeled vehicles
12. No individuals with skin lesions, infectious discharges or communicable diseases
13. No birthday, ball team or pool parties

Additional rules

1. Individuals must present Pool Access Card and verify residency upon request, pool cards must be in possession of the homeowner and may not be shared with any other homeowner and / or other persons.
2. Limit two (2) guests per household (for exceptions, email windstonehoaboard@gmail.com).
3. Appropriate swimwear required; no thong style and/or revealing swim wear.
4. Infants are required to wear plastic pants or swim diapers.
5. Headphones required for music.
6. Items or activities that create a hazard to patrons or the maintenance and operation of the pool and pool property are prohibited.
7. Any unauthorized person in the pool area when the pool is closed is trespassing.
8. Return Pool Access Card to the Windstone drop box when a member moves away from Windstone.

Violations of the pool rules will result in loss of pool privileges and cancellation of Pool Access Card.

- The Windstone HOA and its affiliates, agents and assigns, and board/committee members are not liable for any injury and/or loss of life and shall be held harmless from any injury or death associated with the pool complex and assumes no liability for the loss or theft of patron's personal belongings.
- Any Windstone homeowner, the Board of Directors, and pool committee members have the authority to enforce these rules. Pool Rules subject to change.
- Report disorderly conduct, public intoxication, trespassing and/or any illegal activity to the Olive Branch Police Department, 662-895-4111.
- Report any infraction and pertinent information to Windstone HOA Board by email to windstonehoapools@gmail.com.

The Windstone Board of Directors, pool committee members or hired personnel may close Windstone Community Pools for safety or maintenance reasons without due notice.

Thank you for making Windstone Community Pools safe and family friendly!

Windstone Board of Directors 10.01.18 v6

Pool Access Card for Homeowners

Effective Date 4-1-2022

3.18 Homeowners who purchase a property and their Warranty Deed Date is 4/1/2022 forward are required to pay a \$25.00 fee for a Pool Card

A homeowner's Pool Access key will be deactivated in either of the following situations:

- The homeowner fails to pay the HOA assessments in full by the due date
- The homeowner incurs a balance due to the Association because of any legal action taken by the Association against the homeowner, such as legal fees resulting from the collection of delinquent dues, failure to resolve covenant compliance violations, etc.

The pool access key will remain inactive, and the homeowner will be denied pool access until all assessments, fees, interest, and penalties are paid in full and the homeowner is returned to good standing. At such time, the homeowner may have the pool access key reactivated by paying a fee of \$25.00

Pool Access Keys for Renters

- To obtain a pool access key, renters must provide a copy of their current lease and pay a \$25 fee.
- Pool access keys will be suspended at the end of the lease period unless the renter provides the HOA with a copy of the new lease.
- Homeowners may not give/lend their pool access key to renters.

A renter's pool access key will be deactivated in either of the following situations:

- The homeowner fails to pay the HOA assessments in full by the due date.
- The homeowner incurs a balance due to the Association as the result of any legal action taken by the Association against the homeowner, such as legal fees resulting from the collection of delinquent dues, failure to resolve covenant compliance violations, etc.

The pool access key will remain inactive, and the renter will be denied pool access until all assessments, fees, interest, and penalties are paid in full and the homeowner is returned to good standing. At such time, the homeowner may have the pool access key reactivated by paying a fee of \$25.

Windstone Board of Directors Effective Date: July 31, 2019

Play Equipment/Toys

Toys/Play equipment including but not limited to the list below are prohibited to be inside the pool area

- Portable basketball goals, basketballs
- Badminton Nets, racquets, shuttlecock
- Tennis Nets, Tennis rackets and tennis balls
- Hover Boards
- Skateboards
- Battery Operated Riding Toys
- Scooters
- Bicycles

Any remote-control devices/toys including but not limited to:

- Drones
- Boats
- Helicopters
- Airplanes

Windstone Board of Directors Effective Date: July 31, 2019

3.19 Trash/Construction materials and containers /PODs. Page 17, Article VII, Section 3, d, Page 19Article VII, Section 3, u

- The HOA Board should be notified if construction materials and/or containers/PODs, etc. and an approximate time it will be utilized on a homeowner's property.
- Homeowners are responsible for communicating with any contractors regarding location of debris from the property.

3.20 Vegetable Gardens

Page 18, Article VII, Section 3, j

- Gardens and vines should never encroach on another neighbor's lot or fence

3.21 Window Coverings

- Only neutral color drapery / linings, blinds, drapes should be used in the front street facing windows.
- Damage or broken blinds shredded or damaged window coverings must be replaced.
- Aluminum foil, towels, linens, or plastic of any kind should not be used

3.22 Yard Sales

- Homeowners who hold multiple garage or yard sales would be subject to the recurring business guidelines
- A biannual neighborhood yard sale is organized and advertised the first Saturday of May and October