

## EXHIBIT C

### WILLOW CREEK HOMEOWNERS ASSOCIATION

#### GENERAL GUIDELINES INCLUDING DESIGN GUIDELINES

**The following standards have been developed and promulgated by the Declarant in accordance with Article IX, Section 9.2.1.2 of the Declaration and are applicable to all new construction and all modifications or improvements. These Design Guidelines are not part of the Declaration and can be amended by the Declarant or the Association without a vote of the Owners.**

#### GENERAL GUIDELINES APPLICABLE TO ALL LOTS

**House Placement and Yard Grading.** Dwelling Units shall conform to existing grade and drainage patterns. Each Owner and/or Builder shall endeavor to retain as much of the natural woods as is practical. Builders shall be responsible to regrade the Lot to conform the drainage plan approved for the subdivision.

The following guidelines shall be used in determining placement with respect to style and elevations:

a. There must be a minimum of a two different homes separating like models on the same side of the street. Optional items, such as full porches and pediment front foyers, may be used to establish the differences.

**Dwelling Type.** No building shall be erected, altered, placed or be permitted to remain on any Lot other than one single-family dwelling and a garage for at least two cars. A single-family dwelling shall meet the following requirements:

a. A one story dwelling structure, the living area being the first floor space only, constructed with a basement and a space between the first floor ceiling and the roof of inadequate heights to permit its use as a dwelling place.

b. A story and a half or "Cape Cod" dwelling structure, the living area of which is on two levels connected by a stairway and constructed with a basement. The upper level is constructed within the gable portion of the roof. Window penetrations are made by use of dormers.

c. A two-story dwelling structure, the living area of which is on two levels connected by a stairway, constructed with a basement.

**Dwelling Unit Size.** Dwelling Units must be at least 1250 square feet for a one story dwelling, 1350 square feet for a one and a half story dwelling and 1500 square feet for a two-story dwelling. Square footage for other types of dwellings (if permitted) shall be determined by the Declarant upon plan review. Declarant reserved the right to make minor variances if, in its sole opinion, the intent of the section is maintained.

**Roof.** The roof and gables of each Dwelling unit shall be no less than 6 - 12 pitch. Porch and patio roofs may be 3.5 - 12 pitch. All shingles shall be of a uniform color.

**Garages.** A minimum two car garage is required. Detached garages of any size are not permitted.

**Yards, Driveways and Walks.** Front yards shall be grass and landscaped as soon after completion of the Dwelling Unit as is practical under weather conditions. Rear Yards shall be defined as that portion of the Lot which is behind the rear elevation of the Dwelling Unit extended to each Lot line. All driveways shall be paved with asphalt, concrete, paver bricks or paving stone. Gravel or dirt driveways are prohibited.

**Color Schemes.** All dwellings shall be in conformance with the original color scheme as promulgated by the Developer. The following guidelines shall be followed when determining color scheme with respect to location.

- a. In any group of five dwellings on the same side of a street, at least three siding colors must be used. Never use the same color on two consecutive dwellings.
- b. On any cross-street intersection, at least two siding colors must be used.
- c. Dwellings directly across the street from one another should have different siding colors.

**Underground and Log Houses.** Underground and log structures are prohibited.

**Porches, appendages and additions.** No porches, appendages, or additions shall be permitted unless they are of a size, style, color and type compatible with the original design of the house and shall match the house material and coloring exactly. Porches, appendages or additions must be integrated into the design of the house. Compatibility shall be at the discretion of the Committee.

**Front Storage.** No front porch shall be used for the storage of any items except normal porch furniture. No front yard shall be used for the storage of any item of any kind.

**Awnings.** No metal or plastic awnings for windows, doors, decks or patios may be erected or used. Canvas awnings may be used subject to prior approval of size, color, location and manner of installation for the particular lot in question.

**Exterior Carpeting.** No exterior carpeting may be used if it is visible from any neighboring lot or the street.

**Railings.** All deck and balcony railings shall be wood stained the same color as the deck or balcony or other materials as approved by the committee...

**Solar Panels.** Solar panels shall be permitted on the rear of house subject to prior written approval from the Board of Trustees.

**Chimneys.** All chimneys with metal flues must be enclosed within a chase that may be sided. Any direct vent chimney and \or furnace flues, hot water heater or any other flues shall be vented only to the rear or side of the dwelling unit.

**Water Discharge.** Storm water must be disposed in accordance with the drainage plan for the subdivision and city regulations. Curb cuts and or discharge to the street of right-of-way or curb is prohibited. Plans showing sump drain lines are available from the Declarant.

**Skylights.** Skylights may be used on a back roof facing the rear of a lot. Other locations may be approved for a contemporary design house depending upon the design and the particulars of the lot.

**Entrance Structures.** No additional driveway entrance structures shall be permitted.

**Swimming Pools, Spas and Hot Tubs.** No swimming pools, above ground or inground, shall be permitted. All hot tubs and spas must have prior approval and be inground or incorporated into a deck with enclosed sides and privacy fencing

**Play Equipment.** Play apparatus or structures shall be located in the Rear Yard. Such structures shall be constructed of wood or other material as approved by the committee with natural coloring or may be painted or stained brown or gray. Structures shall be placed wholly within an area separated from lawn areas by a border and shall be bedded with mulch. No grass or other shall be permitted to grow within this area. Structures that include colored items of equipment, such as a slide or swing set seats, so long as all such equipment is the same color. Any play structures that include a roof shall be shingled in the same color as the dwelling. All play equipment on any one lot shall be the same colors.

**Basketball Hoops.** No permanent basketball hoop or goal may be placed on any lot, regardless of location. A portable basketball goal may be located in a driveway for the period of its current use. Any portable goal must be put away each day. Use shall be committed to reasonable play areas depending on seasons. No use will be permitted after 11pm, nor earlier than 9am. The Board shall have the right to set different hours in the event that the use creates an unreasonable disturbance.

**Outbuildings, Sheds and Storage Buildings.** Out Buildings, storage sheds, outbuildings, storage buildings, whether attached or unattached, shall not be permitted.

**Air Conditioning and Heat Pump Equipment.** Air conditioning and heat pump equipment shall be located in side yards or Rear Yards.

**Fencing.** No fence, regardless of material, except invisible pet fences, shall be permitted.

**Radio and Television Antennas.** These guidelines are to be interpreted so as to balance the right of the individual owners to receive acceptable quality broadcast signals in accordance with F.C.C. regulations with the right and duty of the Association to preserve, protect and enhance the value of the properties within the subdivision.

a. Prohibited Apparatus. All exterior antennas, except the following, are prohibited:

1. an antenna that is designed to receive direct broadcast satellite service, including direct-to-home satellite services, that is one meter or less in diameter; or
2. an antenna that is designed to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, and that is one meter or less in diameter or diagonal measurement; or
3. an antenna that is designed to receive television broadcast signals.

b. Permitted Locations.

An antenna must be located in the rear yard or on the rear of the Dwelling Unit in such a manner so as not to be visible by a person of normal height standing at the edge of the street directly in front of the Dwelling Unit. Other locations are permitted if placement under these guidelines precludes reception of an acceptable quality signal. In such case, the owner and the Declarant or the Association shall attempt to find a location with the least visual impact upon the surrounding properties. An "acceptable quality signal" is one that is intended for reception in the viewing area and is consistent with the quality of signals received by others in the immediate vicinity. No location shall be permitted if installation creates a line of sight problem for drivers in the vicinity. The Declarant or the Association may prohibit a location that imposes a legitimate safety concern. An example of a location that imposes a legitimate safety concern is one that is near high voltage power lines or one where the guy wires obstruct legitimate pedestrian access

c. Other Requirements.

The Declarant or the Association may require that the antenna be painted in a fashion that will not interfere with reception so that it blends into the background against which it is mounted or that the antenna be screened so as to reduce the visual impact. Any such requirements must be reasonable in light of the cost of the equipment or services and the visual impact of the antenna. The Declarant or the Association may impose restrictions on methods of installation that create legitimate safety concerns. For example, permitted methods of installation may include reasonable height restrictions and adequate bolting and guying.

d. Continued Maintenance.

Each owner shall maintain any antenna in a reasonable manner so as not become unsightly. Each owner shall remove any antenna upon cessation of its use.

**Landscaping.** Landscaping and normal lawn are required around all houses.

**Tree Removal on Common Grounds.**

1. No trees shall be removed from the common property except with the approval of the board of trustees.

2. Trees on common property, the naturally caused fall of which would threaten a homeowner's house or deck, may be taken down by a bonded contractor, with approval of the board of trustees, at community expense.

3. Stumps, cut as close to the ground level as possible, including roots, may be left to prevent erosion of banks and ravines, as determined by the board of trustees.

**Lot Grading.** The Builder and Owners shall be responsible to regrade the Lot in accordance with the grading plan as approved by the City of Akron. Any deviations from such plan must be preapproved by the City and the Developer.

**Mailboxes.** All mailboxes must conform to the specifications set forth in the appendix to these guidelines.

**House Numbers.** House numbers must be placed on all mailboxes.

**Exterior Lighting.** All lots shall have an exterior light post which must conform to the specifications set forth in the appendix to these guidelines. Plans showing sufficient detail as to size, wattage and type of bulb to be used in the exterior lighting must be submitted to the Committee prior to installation. Exterior lighting must be directed in such a manner so as not to intrude into neighboring lots and houses.

**Discretion.** Any discretion to be exercised in the review of plans shall be that of the Committee.

**Variations.** The developer or the committee may grant variations from these guidelines if such variance will not be of substantial detriment to adjacent lots and will not materially impair these guidelines and the overall best interest of the subdivision.

**Right to Modify Guidelines.** The Developer reserves the right to modify these guidelines, provided however, that no such modification shall be made that will materially and adversely affects the overall character of the properties as a first class development.

### **Speed Limit And Parking Rules for Owners, Residents, and Guests**

a. Speed Limit is 20 MPH throughout the development.

b. .Parking

1. When parking overflows a residents property, vehicles **MUST** be parked on one side of the street only, with the flow of traffic not opposite other vehicles.

2 Over night on street parking is prohibited between 2:00 a.m. and 6:00 a.m.

3.Guest Parking

Parking areas, marked as “Guest Parking” are not for the use of resident vehicles. Any exception is at the discretion of the Board of Trustees.

## **II. Penalties**

a. Towing. Offending vehicles may be towed from the property according to the information posted at the entrance to Willow Creek, at the discretion of the Board of Trustees and/or the Management Company Only.

b.The enforcement procedure and assessment for rules violations is considered in effect for Parking Violations..

## **III. Enforcement Procedure and Assessment for Rule Violations.**

a. The owner shall be responsible for any violation of the Declarations, Bylaws, or Rules by the owner, guest or the occupants, including tenants, if any, of his/her unit.

b. Notwithstanding anything contained in these Rules, the Board shall have the right to proceed, immediately or otherwise, with legal action for any violation of the Association’s governing documents, as the Board, in its sole discretion may determine. The entire cost of effectuating a legal remedy to impose compliance, including court costs and attorney fees, shall be added to the account of the responsible owner.

c. All costs for extra cleaning/or repairs stemming from any violation also will be added to the responsible unit owner's account.

d. In addition to any other action and in accordance with the procedure outlined in to Section below, actual damages and/or an enforcement assessment of up to but not exceeding \$50.00 per occurrence, or if the violation is of an ongoing nature, per day, MAY be levied by the Board against an owner in violation.

A. Prior to the imposition of an enforcement assessment for a violation, the following procedure will be followed:

1. Written notice(s) will be served upon the alleged responsible owner specifying:

- a. A reasonable date by which the owner must cure the violation to avoid the proposed charge or assessment; and
- b. A description of the property damage or violation; and
- c. The amount of the proposed charge and/or enforcement assessment; and
- d. A statement that the owner has a right to, and the procedures to request, a hearing before the Board to contest the proposed charge and/or enforcement assessment.

2. To request a hearing, the owner must mail or deliver a written "Request for a Hearing" notice which must be received by the Board not later than the tenth day after receiving the notice..

- a. If an owner timely requests a hearing, at least seven (7) days prior to the hearing, the Board shall provide the owner with a written notice that includes the date, time, and location of the hearing. If the owner fails to make a timely request for a hearing, the right to that hearing is waived, and the charge for damages and/or an enforcement assessment will be immediately imposed; and

- b. At the hearing, the Board and alleged responsible owner will have the right to present any evidence. This hearing will be held in Executive Session and proof of hearing, evidence or written notice to the owner to abate action, and intent to impose an enforcement assessment shall become a part of the hearing minutes. The owner will then receive notice of the Board's decision and any enforcement assessment imposed within thirty (30) days of the hearing.
3. The Association may file a lien for an enforcement assessment and/or damage charges which remains unpaid for more than twenty (20) days.