



**THE POINT OWNERS ASSOCIATION, INC.**  
Resolution of the Board of Directors

Rules and Regulations Regarding Common Areas

Enacted & Effective: May 18, 2010

Updated & Effective: July 16, 2019

**WHEREAS**, the Board of Directors (the "Board") of The Point Owners Association, Inc. (the "POA") is empowered to govern the affairs of the POA pursuant to Article VI of the Bylaws of the POA and Article XIII, Section 4 of the Declaration of Covenants, Conditions, and Restrictions for The Point, recorded with the Register of Deeds of Iredell County, North Carolina in Book 1095 at Page 1206 (as amended from time to time, the "CC&Rs"), including the enforcement of the provisions of the CC&Rs and the promulgation of rules and regulations regarding the use of the Common Areas owned by the POA, and

**WHEREAS**, the POA neighborhood has multiple Common Areas, and

**WHEREAS**, certain of the Common Areas include walking trails located in Phases IA, IB, 3 and 10 of the Point community are a uniquely planned element of the Point community, as such, they are designed for the use and enjoyment of all residents and guests of the community, and not just the residents of those sections of the community, and

**WHEREAS**, certain of the Common Areas contain swing sets and/or benches and/or off-site septic fields, and

**WHEREAS**, as with the other aspects in The Point, all residents have an inherent responsibility to preserve and maintain the Common Areas. To clarify these responsibilities, the Board desires to adopt rules and regulations governing the use of such Common Areas, and

**WHEREAS**, it is the intent of the Board that the rules and regulations governing the use of the Common Areas as set forth herein remain in effect until otherwise rescinded, modified, or amended by the Board.

**NOW, THEREFORE, BE IT RESOLVED THAT** the POA does hereby adopt the following rules and regulations with respect to the use of all Common Areas of the POA:

1. **General.** These rules and regulation, like all similar instruments, are intended to help uphold community standards, aesthetic and otherwise, as well as protect the investment that each property owner has made. The POA and its agents, *e.g.*, landscape contractor, management company, shall have the right to remove and dispose of any personal property left on any Common Area that is not permitted under this policy or otherwise approved by the Board, with no liability to the owner of such personal property. As provided in the CC&Rs, the POA has the right to impose monetary fines on property owners who disregard these rules and regulations. In addition, the POA passes



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along to the applicable property owner(s) charges relating to returning the Common Area to the state it was in before intervention/damage by such property owners or such property owner's tenants.

2. Permitted Uses. The Common Areas within the Point neighborhood are primarily for the use of community residents and their guests. Use of a Common Area to hold a gathering of a type that a large number of non-residents are expected to attend is subject to prior approval as described in Section 7 below. Bicycle rider usage is permitted on the walking trails, but not in other Common Areas (other than to ride to and from the Common Area), with the understanding that pedestrians have the right of way priority, and as such, bicycle riders must yield when pedestrian traffic is present. All use of Common Areas is at your own risk. Children must be supervised by a parent (or a responsible adult) during Common Area use.
3. No Dumping; Foliage; Residential Plantings; No Modification; Personal Property.
  - The dumping of trash, lawn debris (grass clippings and/or landscape trimmings, etc.), Christmas trees, woodpiles, or litter is not permitted on any Common Area.
  - Tree climbing or causing damage to any natural foliage in a Common Area is prohibited.
  - Resident personal plantings are to be within their own property lines, and not infringe on Common Area.
  - Residents may not modify any aspect of a Common Area (e.g., do not rake or remove mulch on a Common Area).
  - Resident-owned lawn furniture, benches, ramps or other personal property should not be placed, or left, on any Common Area, and the POA assumes no liability for these items.
4. No Motorized Vehicles. Motorized vehicles, including electric golf carts, gas or electric scooters, motorcycles, ATVs, etc. are not permitted on the Common Areas. Vehicles used by the POA's landscape contractor may use the Common Areas on occasion, with caution, during the performance of their assigned duties.
5. Pets. Dogs on leashes are permitted in Common Areas, provided that the accompanying resident, *regardless of age, takes responsibility for retrieving and bagging waste, and controlling the animal so it does not threaten other dogs, pedestrians, or create a disturbance.*
6. Pyrotechnic Devices. The use of pyrotechnic devices, all of which are inherent fire and safety hazards, are not permitted in any Common Area.
7. Pre-Approval for All Gatherings. The Common Areas are primarily for use by property owners in The Point and a reasonable number of their guests. If a property owner in The Point would like to use a Common Area for a gathering, then the property owner that is hosting such gathering must request pre-approval of the proposed use of the Common Area from the POA's Board of Directors. The property owner/host must provide a comprehensive written description of the planned use and be willing to answer questions regarding the proposed use, planned clean-up, etc. All such proposed uses must be consistent with the CC&Rs and all Board resolutions (e.g., the Sign Policy). Such requests will be considered, generally at a regularly scheduled meeting of the Board of Directors,



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and if the POA's Board of Directors deems appropriate, any approval may be conditioned upon the property owner/host providing various types of assurance that the Common Area will not be banned by the proposed use (Examples of what may be required include: require the owner to indemnify the POA and provide evidence of insurance coverage of the types and limits that are reasonably acceptable to the POA's Board of Directors that names the POA as an additional named insured, provide a bond to be posted against the prospect of damage to the Common Area, sign an agreement describing these and other matters relating to the proposed use and understandings about areas to be fenced off; required signage, required clean-up, etc.). Contact the POA's management company to make such a request.

8. Property Owner Responsibilities. It is the express responsibility of each property owner to ensure that these rules and regulations are enforced. The Board requests that residents utilizing the Common Areas remind others of this policy when violations are observed. Offenders should be reported to the POA's management company or, if you observe behavior that may be criminal to the Sheriff's Office, and shall be subject to the enforcement process, including possible fines.

**IN WITNESS WHEREOF**, the undersigned Secretary of the POA hereby certifies that this resolution was duly adopted by the Board at a regular meeting held on July 16, 2019.

ATTEST:

7/20/2019  
Date

Jennifer A. Byrd  
Jennifer A. Byrd, Secretary