

**DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR SURREY HILLS**

**ARTICLE V  
OWNERSHIP, USE AND MANAGEMENT OF THE COMMON AREAS**

**Section 2**

Every member shall have a right and easement of enjoyment in and to the Common Areas and such easement shall be appurtenant to and shall pass with the title to every assessed lot, subject to the following provisions:

A. The right of the Association to limit the number of guests of Members; the Common Areas which may be used by guests of Members, and the conditions under which Common Areas may be used by Members and/or their guests, subject to the terms and provisions hereof.

***B. The right of the Association to charge reasonable admission and other fees for the use of any recreational facility situated upon the Common Areas.***

C. The right of the Association, in accordance with its Articles of Incorporation and By-Laws, to borrow moneys for the purpose of improving the Common Areas and facilities and in aid thereof, to mortgage said property, and the rights of said mortgagee in said properties shall be subordinate to the rights of the Members hereunder.

D. The right of the Association to suspend the voting rights and right to use of the recreational facilities by a Member for any period during which any assessment against his Lot remains unpaid; ***and for a period not to exceed thirty (30) days for an infraction of its published rules and regulations.***

E. The right of the Association, with the prior consent of the Developer, to dedicate or transfer all or any part of the Common Areas to any public agency, public authority or utility for such purposes and subject to such conditions as may be agreed to by the Board of Directors of the Association.

**Section 3**

Any Member may delegate, in accordance with the By-Laws, his right of enjoyment to the Common Area and facilities to the members of his family, his tenants or contract purchasers who reside on the property, subject to such rules, regulations and limitations as the Association may, from time to time, establish.

**Section 4**

DECLARANT hereby covenants for itself, its successors and assigns, that it will convey fee simple title to the Common Area described in the plat of SURREY HILLS ADDITION NO. 6, referred to herein, to the Association, free and clear of all encumbrances and liens, when the number of lots sold in the platted development exceed 75% of the total number of lots in said plat.

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**Section 5**

The Association shall control, maintain, manage and improve the Common Areas as provided in this Declaration and in its Articles of Incorporation and By-Laws. Such right and power of control and management shall be exclusive.

**Section 6**

Any other provision hereof to the contrary notwithstanding, all Members of the Association, regardless of class, shall have and possess the right to use and enjoy all of the Common Areas and all facilities and improvements thereon owned by the Association, which right may not be denied to any Member of any class without consent of all Members of all classes. ***The Board of Directors of the Association may from time to time, establish rules and regulations governing the use of the Association's Common Area by Members of all classes and their guests; provided, that such rules and regulations as from time to time adopted shall be uniform to all Members, regardless of class.***

# Surrey Hills

## Home Owners Association No. One

### RULES FOR THE USE OF THE COMMON AREAS – Page 1

Revised: January 1, 2024

#### 1. HOURS OF ACCESS

The Common Areas may be accessed between Sunrise and Sunset.

#### 2. MOTORIZED VEHICLES

Motorized vehicles are not permitted in the Common Areas at any time. This includes, but is not limited to: Golf Carts, ATV's (All Terrain Vehicles), UTV's (Utility Vehicles), Motor Scooters, Motorcycles, Automobiles or Trucks.

Parking is not permitted in the Common Areas at any time.

Exceptions:

- A. Mowing, Tree Removal or Landscape Contractors hired by Surrey Hills HOA No. One.
- B. Emergency Services: Police, Fire and Ambulance.
- C. Utility Services: Water, Sewer, Gas, Electricity and Communications.
- D. Home Owners who use riding mowers to maintain the Common Areas adjacent to their properties.
- E. Home Owners or Contractors hired by the Home Owner must have written permission to access the Common Areas to perform maintenance or repairs to their property. **It is the responsibility of the Home Owner to request permission to access the Common Area on behalf of the service provider or contractor. Failure to do so will result in a violation of the published Rules for Use of the Common Area and the Home Owner shall be responsible for the repair or remediation of damages to the Common Area.**

#### 3. RECREATIONAL EQUIPMENT

No personal recreational equipment is permitted in the Common Areas at any time. This includes, but is not limited to: Camping Trailers, Boats, Tents, Swing Sets, Swings or ropes suspended from trees, playground equipment and permanent or semi-permanent structures of any kind.

Exceptions:

- A. Portable outdoor furniture such as chairs, loungers and tables so long as such furniture is not left unattended and is removed at Sunset.

## RULES FOR THE USE OF THE COMMON AREAS – Page 2

### 4. PERSONAL PROPERTY

Personal property left unattended in the Common Areas will be removed and disposed of by Surrey Hills Home Owners Association No. One.

### 5. LANDSCAPING AND MAINTENANCE

Home Owners may maintain the Common Areas adjacent to their properties. Mowing contractors will be instructed to avoid mowing those parts of the Common Areas that are maintained by the Home Owner. Decorative landscaping that existed prior to December 31, 2023 is permitted so long as such landscaping is maintained and does not interfere with, or impede, Common Area maintenance. Landscaping that is not maintained will be removed and disposed of by Surrey Hills Home Owners Association No. One. **Beginning January 1, 2024, no landscaping or planting of any vegetation is permitted in the Common Area without the express written consent of the Board of Directors.**

### 6. DUMPING OF REFUSE

No Trash, Ashes or other Refuse may be thrown or dumped in the Common Areas. This includes, but is not limited to: Grass clippings, leaves, branches, tree trunks, building materials, tires, household garbage, chemicals, pool waste water or empty storage containers.

### 7. FIREARMS AND OTHER PROJECTILE WEAPONS

No Firearms or other projectile weapons are permitted in the Common Areas at any time. This includes, but is not limited to; firearms (pistols, rifles, etc), Bows & Arrows, Slingshots, and Pellet or BB Rifles and Pistols.

### 8. PENALTY FOR VIOLATION

**Violation of these rules may result in the suspension of the Home Owner's Common Area use privileges for 30 days, a Fee of \$300.00 or both.** The Home Owner shall also be responsible for the cost of removal and disposal of personal property left unattended or for refuse dumped in the Common Areas.

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Bob McWilliams - Director/President

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Ceeja Malmkar - Director/Vice-President

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Director

