

**RULE REGULATING THE PLACING OF OBJECTS
AND PLANT MATERIAL WITHIN THE COMMON OPEN SPACE
DETENTION BASINS AND LANDSCAPE BERMS**

BACKGROUND

A. Article I, Section 1(c) of the Declaration of Covenants, Restrictions, Easements, Charges and Liens for Peddler's View Homeowners Association ("Declaration") provides that the common open space is for the use and enjoyment of all the Members.

B. Article III, Section 4 of the Declaration provides that the rights and easements of enjoyment for the Members is subject to Rules and Regulations adopted by the Board of Directors of the Association and authorizes the Board of Directors to assess fines for violation of Rules and Regulations and to recover attorney fees and costs in the event it is necessary to institute legal action to compel compliance with the Rules and Regulations.

C. Article VIII, Section 1 of the By-Laws of Peddler's View Homeowners Association at subsection (d) authorizes the Board of Directors of the Association to abate and remove any condition in violation of the Rules and Regulations.

D. The Board of Directors has determined that it is in the interest of the Association to prohibit Members from placing anything in the Common Open Space, Detention Basins and the portion of the Landscape Berms maintained by the Association.

NOW THEREFORE, be it RESOLVED and ENACTED as a Rule and Regulation of the Peddler's View Homeowners Association as follows:

1. No landscaping, planting, or similar activity shall be undertaken within the Common Open Space, Detention Basins or the portion of the Landscape Berms maintained by the Association except those activities undertaken by the Board of Directors of the Association, its agents, servants and employees, in the performance of its obligations under Article VIII of the Declaration.

2. No Member shall place or cause to be placed or permit any tenant, agent, guest, invitee or other person acting with the knowledge and consent of the Member to place or cause to be placed within the Common Open Space, Detention Basins or portion of the Landscape Berms maintained by the Association any article or thing, living or non-living, including but not limited to, the following:

a. Stones, landscape ties, planters, walls, ponds, sculptures, or any other objects, materials or things.

b. Plants, shrubs, trees, or any other plant material.

3. The Board of Directors shall provide written notice to any person in violation of this Rule and Regulation by both regular and certified mail. The notice shall describe the violation and provide that such person shall have ten days from the date of the notice to correct the violation by taking the action described in the notice or to appeal the violation by giving notice in writing to the Board of Directors within the ten day period.

4. In the event the violation is not corrected, within ten days, or other specified time period, of the date of the notice and no appeal is taken or, if an appeal is taken and the Board determines that a violation has occurred, the persons named in the Violation Notice shall be subject to the penalties and remedies set forth herein and in the Declaration and By-Laws of the Association.

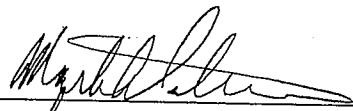
5. Any person violating this Rule and Regulation shall be subject to a penalty assessment in the amount of \$50.00 for the first violation, \$150.00 for the second violation and \$300.00 for each violation thereafter. Each day a violation continues beyond ten days after the date the Violation Notice is mailed or, if a hearing is requested and a violation is found by the Board of Directors, ten days after the Board of Directors makes its determination, shall constitute a separate violation.

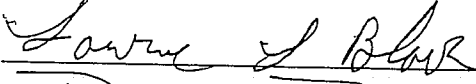
6. In the event legal action is necessary to collect the penalty assessment or to enforce the provisions of this Rule and Regulation, the Member violating these provisions or causing or permitting such violation to occur shall be responsible for attorney's fees and costs incurred by the Association to enforce compliance.

7. In addition to the remedies provided above, the Board of Directors may direct its agents, servants and employees to remove anything placed in the Common Open Space, Detention Basins or Landscape Berm in violation of this Rule and Regulation.

8. This Rule and Regulation shall be effective on the 25th day of April, 2002.

ENACTED by the Board of Directors of the Peddler's View Homeowners Association this ___ day of _____, 2002.





Donna M. Brown