

Provence Homeowners Association Rules and Regulations
as amended and restated, March 6, 2007

The Provence "Rules and Regulations" document adopted by the Board on July 23, 2002 and amended and restated on March 26, 2003 are hereby amended and restated as follows:

ARTICLE III SECTION 301----- BUSINESS ACTIVITIES:

COVENANT

No Townhouse shall be occupied except by a single family for private residential purposes. No business, profession or other activity conducted for gain shall be carried on within any Townhouse.

RULE

No commercial business or trade shall be carried on within Provence except professional, self – employment. Residents desiring an opinion as to whether a proposed business activity at their home violates the Covenants may request a determination from the Provence Board of Directors. The home occupation may not create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, congestion, parking problems, or any other nuisance or hazard which disturbs the peace and quiet of the Provence neighborhood. Childcare businesses are prohibited in Provence. Only persons residing in the Townhouse may be employed in the home occupation. The residential use of the Townhouse must at all times be the primary use; the home occupation is secondary to the residential use. No storage or display of materials, goods, supplies or equipment related to the home occupation shall be allowed outside of the garage or Townhouse.

ARTICLE III SECTION 305(a) ---VEHICLES AND TRUCKS:

COVENANT

No trucks shall be brought within Provence except while making deliveries or performing requested services within Provence; no other powered vehicles of any nature shall be brought within or onto any Lot, or any drive or Driveway except passenger automobiles of residents, their guests and invitees and except emergency vehicles dispatched to protect the health or safety of Provence, its residents, and their guests and except those powered vehicles performing requested maintenance, repairs and replacement services to the Common Property or to Townhouses, Lots, or the Easement Area.

RULE

Passenger automobiles of residents and guests includes, but is not limited to, cars, sport utility vehicles, vans, motorcycles and trucks. No commercial trucks shall be brought within Provence except while making deliveries or performing requested services within Provence. Contractors must park their trucks or other vehicles in such a manner as to prevent congestion on the Private Road. Driveway parking of Commercial or contractor vehicles is limited to 10,000 lbs. gross weight to minimize driveway cracking.

ARTICLE III SECTION 305(b) -----PARKING:

COVENANT

No vehicle shall be parked overnight in Driveways or elsewhere in the Common Property or on the Private Road or elsewhere within Provence, except within the garage portion of a Townhouse and except for private automobiles of short term guests of residents; no camper, motor home, mobile home, house-trailer, boat, recreation vehicle, motorcycle or any towed trailer unit shall be parked at any time on the Private Road, or Driveway or elsewhere within Provence except within the garage portion of a Townhouse.

RULE

No vehicles (including but not limited to resident vehicles such as cars, sport utility vehicles, trucks, campers, motor homes, mobile homes, house-trailers, boats, recreation vehicles, motorcycles, or any towed trailer) may be parked in driveways or on the Private Road overnight. Residents and/or their guests may not park vehicles in the driveways for more than three (3) consecutive nights and no more than fourteen (14) nights in a one-year period per residence without prior approval of the Board.

ARTICLE IV SECTION 412---ASSOCIATION CAN REMEDY VIOLATIONS:

COVENANT

In case of any breach of the Covenants in this Declaration the Association may give written notice to the Owner of a Townhouse or Lot where the breach occurs or which is occupied by the persons causing or responsible for the breach which notice shall state the nature of the breach and the intent of the Association to invoke this Section 412 unless within a period stated in the notice, not less than five (5) days, the breach is cured and terminated or appropriate measures to cure and terminate are begun and are thereafter, in the Association, continuously prosecuted with diligence. If the breach is not cured and terminated as required by the notice the Association may cause the breach to be cured and terminated at the expense of the Owner so notified. The Cost so incurred by the Association shall be paid by the person responsible for the breach and if not paid within thirty (30) days after the Association has sent such Owner notice of the amount due, such amount, plus Costs of Collection, shall be a lien on the Lot of the Owner so notified and on the Townhouse situate thereon and shall in all respects be the obligation of the Owner and enforceable as provided for other assessments by the Association.

RULE

a. Written notice of violation shall be served on the Owner and/or resident (e.g., tenant or other lawful occupant) by mail or by posting on an offending vehicle. An Owner shall have the right to appeal any notice of violation and request a hearing.

b. Should an owner fail to correct the violation or to request a hearing within ten (10) days of such notice, the following schedule for fines is established for violations of these Covenants and Rules and Regulations:

- (1) First offense: Written notice of violation and request for compliance.
- (2) Second offense: Written notice of violation and a fifty dollar (\$50.00) assessment.
- (3) Third offense: Written notice of violation and a seventy five dollar (\$75.00) assessment.
- (4) Fourth and subsequent offenses: Written notice of violation and a one hundred dollar (\$100.00) assessment.
- (5) The Board may impose additional fines for habitual offenders.

c. An Owner (or resident, by written consent of owner) shall have the right to appeal any notice of violation and/or fine by appearing at the regular monthly meeting of the board.

d. In addition to the above fine schedule, Owners or residents may be denied use of the recreational facilities and voting rights may be suspended for any infraction of the published Rules and Regulations, with reinstatement pursuant to Board approval.