

**OYSTER POINTE ON KITTY HAWK BAY OWNER'S ASSOCIATION, INC.  
POLICY RESOLUTIONS**

**Resolution:**      **Parking of large vehicles and boats**  
**Adopted:**        **March 31, 1989 Board of Directors Meeting**

WHEREAS, the Board of Directors of Oyster Pointe on Kitty Hawk Bay Owner's Association, Inc. is empowered to govern the affairs of the Homeowner's Association pursuant to Article IV of the Bylaws...

WHEREAS, there is a need to adopt a rule with regard to parking pursuant to Article XII of the By-Laws...

WHEREAS, it is the intent that this rule shall be applicable to all owners and this resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors...

NOW, THEREFORE BE IT RESOLVED THAT the following rules governing parking are hereby adopted by the Board of Directors:

Owners must park all boats and other two-axle vehicles in the lot to the right at the first entrance to Oyster Pointe.

**Resolution:**      **Parking of large vehicles and boats**  
**Adopted:**        **August 3, 2002 Board of Directors Meeting**

WHEREAS, the Board of Directors of Oyster Pointe on Kitty Hawk Bay Owner's Association, Inc. is empowered to govern the affairs of the Homeowner's Association pursuant to Article IV of the Bylaws...

WHEREAS, there is a need to amend the rule with regard to parking pursuant to Article XII of the By-Laws...

WHEREAS, it is the intent that this rule shall be applicable to all owners and this resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors...

NOW, THEREFORE BE IT RESOLVED THAT the following rules governing parking are hereby adopted by the Board of Directors:

Inoperable, unlicensed or uninspected vehicles may not be parked or left upon any portion of the common areas.  
Owners must park all boats and other two-axle vehicles in the lot to the right at the first entrance to Oyster Pointe.  
Vehicles over 25' in length may not be stored on the premises for more than one week.  
Mobile homes are not permitted on the premises.  
Parked vehicles may not block normal flow of traffic, sidewalks or other parking spaces.  
No major or lengthy car repairs are permitted.  
After a 10-day notice is posted on the vehicle, the Association will tow, at the owner's expense, any vehicle in violation of the above rules.

**Policy Resolutions Continued**

**Resolution:**        **Rules and Regulations**  
**Adopted:**        **August 12, 1997 Board of Directors Meeting**

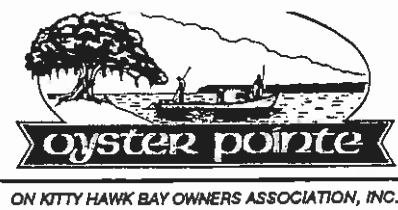
WHEREAS, the Board of Directors of Oyster Pointe on Kitty Hawk Bay Owner's Association, Inc. is empowered to govern the affairs of the Homeowners Association pursuant to Article IV of the Bylaws...

WHEREAS, there is a need to adopt specific rules and regulation pursuant to Article XII of the By-Laws...

WHEREAS, it is the intent that this rule shall be applicable to all Owners and this resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors...

NOW, THEREFORE, BE IT RESOLVED THAT the following resolution be adopted by the Board of Directors:

(See attached list of approved Rules and Regulations)



## **RULES AND REGULATIONS**

The following Rules and Regulations shall be in effect unless or until amended by the Board of Directors of Oyster Pointe on Kitty Hawk Bay Owner's Association and shall apply to and be binding upon all owners, occupants and guests (hereinafter referred to as owner).

1. The sidewalks, walkways, entrances and common areas in general shall not be obstructed or encumbered for any purpose other than ingress and egress to and from the property.
2. Linens, cloths, clothing, curtains, rugs, mats or laundry of any kind or other articles shall not be exposed on any part of the common area. The common area shall be kept free and clear of refuse, debris and other unsightly material.
3. Owner shall not allow anything whatsoever to fall from the windows, decks, balconies, entryways or doors of his or her unit. Owners shall not sweep or throw from the unit, any dirt or other substance outside of the unit or onto the common area.
4. Pets shall not be allowed in or on the common areas, except those on a leash. Owners shall clean up after their pets.
5. Refuse and bagged garbage shall be deposited only in designated areas.
6. Recreational vehicles, trailers and boats may be parked or left (by North entrance) in the designated area. Mobile homes are not permitted on the premises.
7. Inoperable, unlicensed, or uninspected vehicles may not be parked or left upon any portion of the common area.
8. Owner shall not make or permit any disturbing noises, nor do or permit anything that would interfere with the rights, comforts or operate or suffer to be operated a phonograph, television, radio or sound amplifier in his unit in such a manner as to disturb or annoy other occupants. All owners, occupants and guests shall lower the volume as to the foregoing from 10:00 P.M. to 7:00 A.M. each day.
9. Owner shall not install wiring for electrical or telephone installation, television antennae or satellite discs, machines, air conditioning units, or the like on the exterior of the project or that protrude through the walls or the roof of the project except as authorized by the Association.
10. Owner shall not paint the exterior of this unit without the authority and written approval of the Association; it being intended to preserve and present a uniform appearance for the condominium. No owner, occupant or guest may otherwise alter the exterior appearance of his unit.
11. Owner shall not permit any advertisements or posters of any kind in or on the condominium except as authorized by the Association. "For Sale" or "For Rent" signs shall not be displayed without the prior approval of the Association.
12. The Association shall have sole control of all planting and landscaping. No owner shall alter the appearance of the common area.
13. Inflammable, combustible or explosive fluid, chemical or substance shall not be kept on decks or in the common area.
14. The Association may make such rules and regulations as it deems necessary for the storage and keeping of firewood, and the Association may limit said storage and keeping to certain areas only.
15. Rules and Regulations as to the use of Oyster Pointe facilities shall be posted and each owner, occupant and guest shall observe all Rules and Regulations relating thereto.
16. The Board of Directors of Oyster Pointe on Kitty Hawk Bay Owner's Association reserves the right to make, or to have its duly authorized agent make, additional Rules or Regulations as may be required from time to time without the consent of the individual owners.

## Policy Resolutions Continued

**Resolution:** Pool Rules and Regulations  
**Adopted:** September 30, 1995 Board of Directors Meeting

WHEREAS, the Board of Directors of Oyster Pointe on Kitty Hawk Bay Owner's Association, Inc. is empowered to govern the affairs of the Homeowners Association pursuant to Article IV of the Bylaws...

WHEREAS, there is a need to adopt specific rules and regulation regarding the addition of recreational facilities pursuant to Article XII of the By-Laws...

WHEREAS, it is the intent that this rule shall be applicable to all Owners and this resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors...

NOW, THEREFORE, BE IT RESOLVED THAT the following resolution be adopted by the Board of Directors:

The Rules and Regulations for Pool Use shall be posted as follows:

### Pool Regulations

- Pool Hours 7 AM - 8:30 PM (Dusk)
- No Lifeguard on duty
- Swim at your own risk
- Pool Pass and Key required
- GUEST must be accompanied by an Oyster Pointe Owner or Tenant of an Oyster Pointe Owner
- CHILDREN under age 16 not permitted in Pool area unless accompanied and supervised by an adult.
- No Glass Permitted in pool area
- No Littering
- No Running
- No Diving
- No Loud Noises
- No Boogie Boards/Hard Material Devices
- No Oversized Flotation Devices
- No Pets Permitted in Pool Area
- No Babies in Diapers permitted in pool
- Do Not Remove Pool Furniture
- In case of Emergency, Use emergency phone to summons HELP!

Policy Resolutions Continued

Resolution:

Storm doors

Adopted:

August 17, 1989 Board of Directors Meeting

WHEREAS, the Board of Directors of Oyster Pointe on Kitty Hawk Bay Owner's Association, Inc. is empowered to govern the affairs of the Homeowner's Association pursuant to Article IV of the Bylaws...

WHEREAS, there is a need to adopt a specific style of storm door to maintain uniformity pursuant to Article V, Section 5.5 of the Declaration and to identify maintenance responsibilities...

WHEREAS, it is the intent that this rule shall be applicable to all owners and this resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors...

NOW, THEREFORE BE IT RESOLVED THAT the following rules governing storm doors are hereby adopted by the Board of Directors:

Owners may install a white, self storing storm door at their expense. All costs associated with the repair, maintenance, and replacement of the storm door will be the responsibility of the owner.

## Policy Resolutions Continued

**Resolution:** Screen Porches and Porch Ceiling Rain Diverters  
**Adopted:** January 5, 2000 Board of Directors Meeting

WHEREAS, the Board of Directors of Oyster Pointe on Kitty Hawk Bay Owner's Association, Inc. is empowered to govern the affairs of the Homeowner's Association pursuant to Article IV of the Bylaws...

WHEREAS, there is a need to adopt a specific architectural style for the screen porches and porch ceilings to maintain uniformity pursuant to Article V, Section 5.5 of the Declaration and to identify maintenance responsibilities...

WHEREAS, it is the intent that this rule shall be applicable to all owners and this resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors...

NOW, THEREFORE BE IT RESOLVED THAT the following rules governing the installation of screen porches and ceilings are hereby adopted by the Board of Directors:

- Owners must complete an application to management to remain on file with the Association.
- Owner must receive approved application from the Association prior to the onset of work.
- Cost of installation and maintenance of the screen porch and/or porch ceiling shall be at the owner's expense.
- Owner agrees to maintain the screen panels, repairing any broken or torn screen panels in a timely fashion.
- The Board of Directors reserves the right to remove any screens which have not been maintained in an acceptable manner and place them in the owners unit. The cost for this service will be charged to the owner.
- The Specifications are as follows:
  - A. Porch Ceiling:
    - Green, corrugated, fiberglass panels
    - Panels shall be pitched away from the building in the direction of the floor joists
  - B. Screens:
    - Must be removable panels
    - White, aluminum framing
    - Gray, fiberglass screening
    - Upper screen panels shall have a center cross bar centered at mid-point height; no cross bars on lower panels
    - The size of the screen panels will be determined by the length of the particular section of the deck; panels shall be the same size within a particular span.
    - First floor units shall install screening to underside of deck above as well as the option of installing screening under their own deck; middle floor units shall have the option of installing screening to underside of deck above
  - C. Framing:
    - All framing materials shall be treated lumber
    - Install 2x4 board to bottom of double 2x8 deck band from deck above to facilitate ceiling pitch
    - Install mid-span blocking to insure ceiling panels can be properly fastened
    - Fasten corrugated fiberglass panels from bottom of deck nailer to bottom of new 2x4 pitch board. On two sides, there should be a 4" overhang past the double 2x8 deck band. One side of the ceiling panels will remain flush with the deck joist. Contractor shall install a triangular trim piece to cover the opening due to the pitch design.
    - Install new 2x4 top plate underneath corrugated panels, fastened through panels, into the double 2x8 deck band.
    - Install new 2x4 bottom plate.
    - Install new 2x4 vertical framing to accept screen panels from new top plate to top of existing 2x6 cap rail. On lower section, install 2 x 4 vertical framing from new 2x4 bottom plate to the underside of the cap rail. This vertical member must be notched to accept existing cap rail 2x4 support board.
    - Install treated 1x2 screen stops on a four sides of interior of all openings.
    - Screen panels shall be fastened from the inside of the porch.

## Policy Resolutions Continued

**Resolution:**      **Satellite Dish Installation**  
**Adopted:**        **August 3, 2002 Board of Directors Meeting**

WHEREAS, the Board of Directors of Oyster Pointe on Kitty Hawk Bay Owner's Association, Inc. is empowered to govern the affairs of the Homeowner's Association pursuant to Article IV of the Bylaws...

WHEREAS, there is a need to adopt a rule with regard to the installation of satellite dishes...

WHEREAS, Section 208 of The Telecommunications Act of 1996 requires the FCC to set forth rules that "prohibit restrictions that impair a viewer's ability to receive video programming services through devices designed for over-the-air reception of television, multipoint distribution, or direct broadcast satellite services"...

WHEREAS, reasonable architectural guidelines, which do not "impair" signal reception will continue to be enforceable...

WHEREAS, it is the intent that this rule shall be applicable to all owners and this resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors...

NOW, THEREFORE BE IT RESOLVED, THAT the following rules governing the installation of satellite dishes are hereby adopted by the Board of Directors:

Satellite dishes may be installed on the exterior of the building subject to approval by the Board of Directors. Any owner desirous of installing a satellite dish shall submit a written request to the Board describing the intended location, size and dish color, and the name, address and phone number of the person who will install the dish.

Satellite dishes may be installed at the owners risk.

All costs associated with the repair, maintenance, and installation of the dish will be the sole responsibility of the owner.

The Association is not responsible for the cost of removal, reinstallation or damages that may be caused due to repairs of the common property or acts of nature.

Satellite dishes may not be attached to the front of the building, must be gray in color and may not exceed 18" in width.

Wiring must be installed unobtrusively so that it is not aesthetically unappealing. The preferred method is to have no wiring visible from the exterior. In the event this is not possible, the wiring must be run along corner boards or other horizontal/vertical planes and may not be draped across roofs, windows or expanses of siding. Visible wiring must be painted to match the existing, exterior paint color.

## Policy Resolutions Continued

**Resolution:**      **Leak Repairs**  
**Adopted:**      **December 10, 1993 Board of Directors Meeting**

WHEREAS, the Board of Directors of Oyster Pointe on Kitty Hawk Bay Owner's Association, Inc. is empowered to govern the affairs of the Homeowner's Association pursuant to Article IV, Section 4.13 of the Bylaws...

WHEREAS, there is a need to clarify rules regarding leak repairs as referenced in Article VII, Section 7.3 of the Declaration of Condominium of Oyster Pointe on Kitty Hawk Bay Owner's Association, Inc.....

WHEREAS, it is the intent that this rule shall be applicable to all unit owners and shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors...

NOW, THEREFORE, BE IT RESOLVED THAT the following policy regarding leak repairs is hereby adopted by the Board of Directors:

*If a unit owner fails to perform normal maintenance (ie. repairing a leaking drain pipe or toilet seal, etc.) causing damage to another unit, the association will notify the unit owner and give them 10 days to complete the repair. If repair is not made, the Association will make and pay for the repair and attach the cost of the repair to the unit owner's account.*

**Resolution:**      **Revision to Leak Policy**  
**Adopted:**      **April 24, 2004 Board of Directors Meeting**

**Under the advice of counsel, the resolution for leak repairs is hereby amended:**

a.) If an owner causes damages to another unit or the common property due to their negligence, they are responsible for paying for all damages. This includes owners who are notified of a routine problem, however fail or refuse to make the needed repairs as required to minimize damages to other property.

b.) If there is a leak due to a routine maintenance issue or beyond the control of the owner, the owner of the unit where the damage originates must pay for the repair to the plumbing fixture. Each unit owner that sustains damages as a result of this leak must pay for the repairs in their own units.



**Administrative Resolutions Continued**

**Resolution:**      **Annual Meeting Quorum**  
**Adopted:**      **January 5, 2000 Board of Directors Meeting**

RE:            Article III, Section 3.5 of the Bylaws of the Association

WHEREAS, Oyster Pointe on Kitty Hawk Bay Owners Association, Inc. is a North Carolina corporation duly organized and existing under the laws of the State of North Carolina; and

WHEREAS, the members of said corporation desire that the wording in Article III, Section 3.5 of the Bylaws of the Association be amended to allow the Association to announce a quorum present at any meeting of the Association when fifty-one percent (51%) of the votes are present.

NOW, THEREFORE, the members hereby adopt the following resolution on behalf of the Oyster Pointe on Kitty Hawk Bay Owners Association, Inc.

That Article III, Section 3.5 of the Bylaws of Oyster Pointe on Kitty Hawk Bay Owners Association, Inc. shall be amended to read as follows:

3.5 Quorum; Adjournment if no Quorum. A Quorum shall consist of members present, in person or by proxy, entitled to cast at least fifty-one percent (51%) of the total votes in the Association. If a quorum is not present, the meeting shall be adjourned from time to time until a quorum is present.

**OYSTER POINTE ON KITTY HAWK BAY OWNER'S ASSOCIATION, INC.  
ADMINISTRATIVE RESOLUTIONS**

**Resolution:**      **Collection Policy Resolution**  
**Adopted:**      **August 17, 1989 Board of Directors Meeting**

WHEREAS, The Board of Directors of Oyster Pointe on Kitty Hawk Bay Owner's Association, Inc. is empowered to govern the affairs of the Owner's Association pursuant to Article IV of the Bylaws...

WHEREAS, there is a need to adopt a specific collection policy...

WHEREAS, it is the intent that this policy shall be applicable to all owners and this resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors...

NOW, THEREFORE, BE IT RESOLVED THAT the following collection policy is hereby adopted by the Board of Directors:

Monthly payments are due on the 1st of each month. A late fee of \$10 is added for any payment received after 30 days and the owner receives a late letter from management.

If there is no response after 30 days, a second stronger late notice is sent.

If there is no response after 90 days a third late notice is sent certified return receipt requested, advising the owner that a lien has been placed on the property (in accordance with 47C-3-116 of The Act) and that their account has been turned over to the Association's attorney. All legal costs incurred are to be charged to the delinquent owner. Any overdue account will be charged an 18% per annum interest rate.

**Resolution:**      **Revision to Collection Policy**  
**Adopted:**      **December 2, 1994 Board of Directors Meeting**

The collection policy is hereby revised as follows:

Once an account is \$500 in arrears, the account is to be turned over to the Association's attorney for foreclosure. All costs incurred by this action are to be charged to the delinquent owner.

**Resolution:**      **Revision to Collection Policy**  
**Adopted:**      **August 4, 1995 Board of Directors Meeting**

The collection policy is hereby revised to as follows:

Once an account is \$500 in arrears on monthly assessments or 45 days in arrears on the insurance assessment, the account is to be turned over to the Association's attorney for foreclosure. All costs incurred by this action are to be charged to the delinquent owner.

**Resolution:**      **Revision to Collection Policy**  
**Adopted:**      **January 17, 1997 Board of Directors Meeting**

The collection policy is hereby revised to as follows:

Once an account is \$300 in arrears on monthly assessments or 60 days in arrears on special/insurance assessments, the account is to be turned over to the Association's attorney for foreclosure. All costs incurred by this action are to be charged to the delinquent owner.

**Resolution:**      **Revision to Collection Policy**

Resolution:  
Adopted:

**Revision to Collection Policy**  
**August 17, 2001 Board of Directors Meeting**

The collection policy is hereby revised to as follows:

Monthly payments are due on the 1st of each month.

A late fee of \$25 will be added for any payment (monthly dues, special assessment or owner charge) received more than 30 days after the due date.

Once an account is \$300 in arrears on monthly assessments or 60 days in arrears on special/insurance assessments or owner charges, the account is to be turned over to the Association's attorney for foreclosure. All costs incurred by this action are to be charged to the delinquent owner.

**OYSTER POINTE ON KITTY HAWK BAY OWNER'S ASSOCIATION, INC.  
POLICY RESOLUTION**

**Resolution:**        **Awning Installation**  
**Adopted:**        **September 24, 2005 Board of Directors Meeting**  
**Amended:**        **February 11, 2006 Board of Directors Meeting**

WHEREAS, the Board of Directors of Oyster Pointe on Kitty Hawk Bay Owner's Association, Inc. is empowered to govern the affairs of the Homeowner's Association pursuant to Article IV of the Bylaws...

WHEREAS, there is a need to adopt a specific architectural style for the installation of awnings on the top floor units to maintain uniformity pursuant to Article V, Section 5.5 of the Declaration and to identify maintenance responsibilities...

WHEREAS, it is the intent that this rule shall be applicable to all owners and this resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors...

NOW, THEREFORE BE IT RESOLVED THAT the following rules governing the installation of retractable awnings are hereby adopted by the Board of Directors:

- Top floor unit owners may install a retractable awning using the approved style and color.
- Prior to the onset of work, owners must complete an application to management to remain on file with the Association.
- Owners must sign a waiver that they are responsible for damages to siding and other property as a result of their awning.
- Cost of installation and maintenance of the awning shall be at the owner's expense.
- Should the awning need to be removed to facilitate roof/shingle repair or replacement, the cost of removal and reinstallation to be at the owner's expense.
- Owner agrees to maintain the awnings, repairing any broken or worn awnings in a timely fashion.
- The Board of Directors reserves the right to remove any awnings which have not been maintained in an acceptable manner and place them in the owners unit. The cost for this service will be charged to the owner.
- The approved awning is as follows:

Style/Color:        Retractable Awning Majestic 800 Series  
                          Roof Mounted  
                          9'2" wide x 8' projection  
                          Cranked out Hand Unit  
                          Signature Series Sunbrella Fabric  
                          Color - Taupe Colony Stripe

Contractor:        A&A Awnings International  
                          544-110 Central Drive  
                          Virginia Beach, Virginia 23454  
                          800-252-1446

**OYSTER POINTE ON KITTY HAWK BAY OWNER'S ASSOCIATION, INC.  
POLICY RESOLUTION**

**Resolution:**      **Parking of large vehicles and boats**  
**Adopted:**        **March 31, 1989 Board of Directors Meeting**  
**Amended:**        **August 3, 2002 Board of Directors Meeting**  
**Amended:**        **February 11, 2006 Board of Directors Meeting**

WHEREAS, the Board of Directors of Oyster Pointe on Kitty Hawk Bay Owner's Association, Inc. is empowered to govern the affairs of the Homeowner's Association pursuant to Article IV of the Bylaws...

WHEREAS, there is a need to amend the rule with regard to parking pursuant to Article XII of the By-Laws...

WHEREAS, it is the intent that this rule shall be applicable to all owners and this resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors...

NOW, THEREFORE BE IT RESOLVED THAT the following rules governing parking are hereby adopted by the Board of Directors:

- Inoperable, unlicensed or uninspected vehicles may not be parked or left upon any portion of the common areas.
- Owners must park all boats, oversized vehicles and other two-axle vehicles in the lot to the right at the first entrance to Oyster Pointe (by Building K) or in the overflow parking area on both sides at the second entrance parking (by Buildings A&D).
- Any oversized vehicle, boat, or trailer parked in the designated parking areas must secure and clearly display a permit; permits available from management.
- Vehicles over 25' in length may not be stored on the premises for more than one week.
- Mobile homes are not permitted on the premises.
- Parked vehicles may not block normal flow of traffic, sidewalks or other parking spaces.
- No major or lengthy car repairs are permitted.
- After a 10-day notice is posted on the vehicle, the Association will tow, at the owner's expense, any vehicle in violation of the above rules.

**OYSTER POINTE ON KITTY HAWK BAY OWNER'S ASSOCIATION, INC.  
POLICY RESOLUTION**

**Resolution:**      **Use of Noise Mitigation Products for the Reduction of Noise Between Floors**  
**Adopted:**        **May 13, 2009 Board of Directors Meeting**

WHEREAS, the Board of Directors of Oyster Pointe on Kitty Hawk Bay Owner's Association, Inc. is empowered to govern the affairs of the Homeowner's Association pursuant to Article IV of the Bylaws...

WHEREAS, there is a need to provide a recommendation to the general membership with regard to protecting the peace and harmony of unit owners pursuant to Article XII of the By-Laws...

WHEREAS, there is an issue to the bottom floor unit owners due to the extra, non-absorbed noise from above when hardwood floors and/or tile is installed above.

WHEREAS, it is the intent that this recommendation be applicable to all owners and this resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors...

NOW, THEREFORE BE IT RESOLVED THAT the following advisory is issued by the Board of Directors:

- Oyster Pointe is comprised of two and three story buildings.
- The original units were built using padding and carpet in the living areas.
- Owners who wish to refurbish their units should be mindful of community living issues.
- When using hard surface flooring, owners should use noise mitigation products so as not to disturb the unit owners below.
- The recommended practice is to lay insulation if the sub-flooring is taken up and/or drill into the cavity and blow insulation if flooring is not taken up.
- The Association agrees to allow insulation to occupy the Common Area between floors
- Owners must complete an application provided by management to remain on file with the Association.
- Owners must state the type of insulation to be used, where and how they intend to install it, and acknowledge that they will be responsible for maintenance of the insulation.
- Cost of installation and maintenance of the insulation shall be at the owner's expense.