

Master Deed Reference

Book G493

Page 001



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After Recordation Return To:
Rivers Point Row POA, Inc.
c/o Priestley Property Mgmt Co.
4 Carriage Lane Suite 400-B
Charleston, SC 29407

RIVERS POINT ROW PROPERTY OWNERS ASSOCIATION, INC.

WHEREAS, Article IV, Section 5 of the Master Deed of Rivers Point Row Property Owners Association, Inc. (the "Association") vests authority in the Board of Directors of the Association (the "Board") to "adopt rules and regulations governing the use administration and operation of the Property, subject to the terms of this Declaration (Master Deed) and the Bylaws"; and

WHEREAS, Exhibit "F" of the Master Deed, the "Bylaws" of the Association under Article IX, Section 9.1, further provides that "[I]n accordance with Article IV, Section 5 of the Master Deed, the Board may from time to time adopt, amend, repeal, and enforce reasonable rules and regulations governing the use and operation of the Property, to the extent that such rules and regulations are not inconsistent with rights and duties set forth in the Articles of Incorporation, the Master Deed, or these Bylaws"; and

WHEREAS, the Board has recognized the need to redraft the Rules and Regulations of the Association in order to make current and clarify the provisions therein, does hereby adopt and promulgate the below document entitled: **EXHIBIT "E" RULES AND REGULATIONS OF RIVERS POINT ROW PROPERTY OWNERS ASSOCIATION, INC.**, which shall supersede and replace Exhibit "E" of the original Master Deed for this Association, and thereby does repeal and nullify all prior rules and regulations published by and for the benefit of this Association at any prior time.

EXHIBIT "E"
RULES AND REGULATIONS

RIVERS POINT ROW PROPERTY OWNERS ASSOCIATION, INC.

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In order to create a congenial, safe and dignified living atmosphere which is respectful of the concerns of Rivers Point Row Owners, these Rules and Regulations have been adopted. These Rules and Regulations supplement the Master Deed of the Regime and the Bylaws of the Association. They apply to Owners and their families, tenants, guests, agents, invitees, contractors, employees and others.

1) Residential and Business Usage

All Units shall be utilized for single family residential purposes only. No business or business activity shall be carried on upon any Unit at any time; provided, however, that (i) nothing herein shall prevent Declarant or its designee, or any entity approved by the Board of Directors, from using any Unit owned by Declarant or leased by Declarant from carrying on business related to the development, sale, leasing, or management of the Property and (ii) to the extent allowed by applicable zoning laws, a private office may be maintained in a Unit as long as such use is incidental to the primary residential use of the Unit, does not violate any applicable law, does not involve any exterior signage or advertising of the Unit as a place of business, and does not contribute to parking, traffic or security problems, all in the opinion of the Board of Directors.

2) Prohibited Uses

A Unit Owner shall not permit or suffer anything to be done or kept in his Unit which will, in the sole opinion of the Board of Directors, (i) increase the insurance rates on his Unit or the Common Area, (ii) obstruct or interfere with the rights of other Unit Owners, or the Association or (iii) annoy other Unit Owners by unreasonable noises or otherwise. A Unit Owner shall not commit or permit any nuisance, immoral, improper, offensive or illegal act in his Unit or on the Common Area.

Disturbances. No noxious or offensive activity shall be conducted in any house or on the Common Area nor shall anything be done therein which may be or become an annoyance or nuisance to other homeowners or occupants. No homeowner shall make or permit any disturbing noises or do or permit anything to be done which would interfere with the rights, comforts or convenience of other homeowners. All homeowners shall keep the volume of any radio, television, sound system or musical instrument in their houses and in their vehicles on the premises sufficiently reduced at all times so as not to disturb other homeowners. Homeowners must abide by Charleston County Ordinances pertaining to disturbances.

3) Owner Responsible for Conduct of Others in Unit

Each Unit Owner shall be deemed responsible to the Association for the conduct of members of his household and his tenants, agents, invitees, guests, and pets while on Rivers Point Row property, but the responsibility of the Unit Owner shall not relieve any member of his household or any of his tenants, agents, invitees, or guests from any liability to the Association or to a Unit Owner for their own acts.

4) Access to Rivers Point Row

Access to Rivers Point Row property for personal guests or invitees may be authorized by Unit Owners, Unit tenants and immediate family members of such Owners or tenants and who are age 18 or older. All access is subject to these Rules and Regulations. Personal guests and invitees may not authorize access for others unless approved by the Board of Directors or any management agent for Rivers Point Row. Only persons with proper authorization may remain on Rivers Point Row. Any guest or invitee may be required to provide the management agent, the Board of Directors, or law enforcement officials with proper identification and the name and telephone number of the person who authorized his access.

5) Access to Amenities

Access to Rivers Point Row amenities, such as the pool area, is limited to Unit Owners, Unit tenants, immediate family members of such Owners or tenants, and personal guests who are accompanied by a Unit Owner, tenant or immediate family member of such Owner or tenant.

6) Obeying Laws

All valid laws, zoning ordinances and regulations of all governmental bodies having jurisdiction over the Property shall be observed.

7) Pets

A Unit Owner may keep a domestic pet in his Unit under the regulations promulgated by the Association from time to time. A Unit Owner may not keep any other animals, livestock or poultry, nor may any of the same be raised, bred, or kept upon any portion of the Property, including any balcony or patio. All pets shall be housed within the Unit. Pets must not constitute a nuisance or cause unsanitary conditions. Incessant barking or howling of a dog which is clearly audible in another Unit shall be a nuisance, unless otherwise expressly determined by the Board of Directors. No pet shall be permitted to leave its excrement on any portion of the Common Areas or Area of Common Responsibility or the Unit of another Owner and any owner of such pet shall immediately remove the same. The Board of Directors shall have the right to determine, in its sole discretion, whether a particular pet meets the criteria set forth above, and, if not, it may require the owner of the pet to remove such pet from the Property.

- a) Homeowners shall abide by the applicable County/City ordinances which requires annual licenses and current vaccinations for dogs and cats over three (3) months of age, prohibits animals from running loose on public property (or common areas of a community), requires that pets be kept under control at all times when off their owner's property and prohibits animals from trespassing, damaging or fouling another's property (or common areas of a community). Additionally, it prohibits keeping vicious, wild, exotic animals as pets. These Rules and Regulations authorize the County Animal Warden to enter the community to investigate complaints and to enforce the County ordinance. Any residents of the Rivers Point Row POA may report Ordinance violations to the County Animal Control Office. All pets must be properly restrained on a leash and controlled by a dependable person. The Association is not responsible/liable for the actions of your pets.
- b) No kennels for breeding or for multiple pets shall be allowed on the property.
- c) Doghouses, kennels, litter boxes, etc. shall not be permitted on common or limited common areas, including patios and balconies.
- d) Pet owners shall be responsible for the IMMEDIATE cleanup and proper disposal of pet wastes deposited in the Common Areas or streets. Pet owners shall be responsible for any and all costs incurred in the repair of damages caused by their pet(s) to the Common Areas as well as the property of other homeowners immediately upon notice.
- e) Homeowners who own pets, or have guests visiting with pets, shall ensure that the pets do not become a nuisance to other homeowners in the community. Actions that may constitute a nuisance include, but are not limited to, barking, crying, scratching, digging or being hygienically offensive. Chaining/tethering or penning a pet on the Common Area is prohibited.

8) Signs and Antennas

Unless otherwise expressly permitted in writing by the Board of Directors, an Owner (i) shall place no sign, advertisement or notice on the Common Area, Limited Common Area, or his Unit, and (ii) shall erect no antennas or aerials upon any part of his Unit or the Common Area which is visible from another Unit or the Common Area.

"For Sale," "For Rent" or "For Lease" signs or other window displays or advertising may not be maintained or permitted in any Unit or on the Common Elements unless approved by the Board of Directors. "For Sale" signs are permitted only in the window of a unit that is for sale.

9) Approval of External or Structural Modifications

- a) Unless otherwise expressly permitted in writing by the Board of Directors, no modification of a Unit or Limited Common Area which would be visible from any other Unit or any portion of the Common Area, and no modification of a structural element of a Unit or the Common Area, shall be permitted until two (2) sets of plans showing the nature, shape, dimensions, materials, color and location thereof have been submitted to and approved by the Board of Directors or its designee.
- b) The Board of Directors or its designee shall have four (4) calendar weeks from receipt of all required information to review the submitted information. It may approve, reject or modify the proposed plans based on its perception of the consistency and harmony of the plans with the Master Deed, the design of Rivers Point Row, and other practical and aesthetic factors deemed appropriate by the Board of Directors. Other Owners shall be given the opportunity to examine such plans upon prior written request during reasonable business at a location identified by the Board of Directors. If notice of approval, disapproval,

proposed modification or request for additional information, is received by the submitting Owner within such four (4) calendar week period, the plans shall be deemed approved.

- c) Compliance with the above procedures is not a substitute for compliance with other applicable building, zoning, subdivision and development standards ordinances and codes. The Association and Board of Directors shall not be responsible for any defects in any plans or specifications approved by the Board of Directors, nor for any structural defects in any work done according to such plans and specifications. Further, neither Declarant nor any member of the Board of Directors shall be liable for damages to anyone submitting plans or specifications for approval, or to any person affected by a mistake of judgment, negligence or nonfeasance arising out of, or in connection with, the approval or disapproval or failure to approve or disapprove any such plans or specifications.

10) Trash/Garbage/Recycling Containers

Trash, garbage or other waste shall be placed in dumpsters at times and places designated by the Board of Directors. Except when moving household garbage or waste to the dumpsters or other designated pickup areas, it shall be kept in closed, sanitary containers inside the Unit. No trash, garbage or other waste shall be left on decks, porches, behind bushes or in Common Areas not expressly intended for such storage. All biodegradable garbage shall be placed in a sealed plastic bag before placing it in the dumpster.

No waste, litter, or cigarette butts shall be deposited on the Common Area. No accumulation or storage of litter, new or used building materials or trash of any kind shall be permitted in Common Areas. Each homeowner is responsible for picking up litter on his/her property and preventing windblown debris from originating there.

Trash, garbage and recycling containers as well as larger bulk items such as televisions, furniture, boxes, beer kegs, etc. shall not be permitted on common area or limited common areas including but not limited to rear patios and balconies. No loose trash or trash containers are permitted on rear patios, balconies or behind bushes.

11) Use of Common Areas

(All exterior areas to include, but not limited to yards, stoops, parking areas, breezeways, stairwells.) All homeowners shall be entitled to use and enjoy the Common Area without infringing on the rights of others. However, no individual homeowner shall convert any portion of the Common Area for his/her exclusive use without written approval from the association. For example, homeowners may not plant flowers, plants, trees, shrubbery and crops of any type without approval from the association.

12) Obstruction of Common Areas

Unless otherwise expressly approved by the Board of Directors, corridors, stairs roads and common avenues of ingress and egress shall be used for no purpose other than normal transit through them. No Owner or agent, servant, tenant, family member or invitees of an Owner shall park any vehicle or place or cause to be placed in the roads and common avenues, or encumber any corridors or stairs with furniture, packages or obstructions of any kind.

Walkways, front porches and other common areas must be kept free of obstruction, junk and personal items, to include, but not limited to recycling bins, indoor furniture and unsightly furniture.

13) Common Area Damage

(All exterior areas to include, but not limited to yards, stoops, parking areas, breezeways, stairwells.) Any defacing or deliberate damage to the Common Area, or equipment installed thereon caused by any person including a homeowner, his/her family, tenants, servants, employees, agents, visitors and guests, invitees or licensees shall be promptly repaired at the expense of the homeowner.

14) Personal Items

Beach towels, bathing suits, clothing, etc. shall not be hung on decks and railings so as to be visible to a person in any other Unit or anywhere on Rivers Point Row property.

15) Air Conditioners

No window unit air conditions are permitted.

16) Window Treatments

Any window treatments used must be made exclusively for that purpose as seen from the street or General Common Elements and must be kept in good working condition (i.e. no towels, blankets, broken blinds, or torn screens).

17) Carpeting

No indoor / outdoor carpeting may be used on front walkways, rear patios, and rear balconies.

18) Patios/Balconies

Rear patios and balconies must be kept in a clean and tidy manner.

19) Plants

Homeowners may place one potted plant outside their front entry door provided that the potted plant is maintained and placed inside a pot 16 inches or smaller. The plant may not be taller than four (4) feet or wider than 20 inches. The pot may not be placed in an area which will impede traffic in or out of the front walk, door, or neighbor's door. If the plant dies, the plant must be repotted or removed by, and at the cost of, the owner.

20) Outdoor Furniture

All furniture placed outdoors must be designed for outdoor use. It must be presentable and maintained and if becomes damaged or unusable, it must be replaced, repaired, or removed completely by, and at the cost of the owner.

21) Landscaping Violation

All plants on rear patios and balconies must be maintained. If the plant(s) dies, it must be replaced or removed by, and at the cost of the owner. The downstairs garden owners and the town home owners may plant additional landscaping by their rear patios. Each owner must submit drawings and specifications of the plants, size, and location of the plants according to the existing ARB modification request procedures. The additional landscaping may extend up to 24 inches from the patio slab. Any additional landscaping must be maintained by the owner and if the association needs to operate in that space the association is not responsible for any loss or damage suffered as a result.

22) Unattended Items

Baby carriages, bicycles, playpens, wagons, toys, benches, chairs or other personal articles or property shall not be left unattended in public areas, lawns, sidewalks or the Common Area for extended periods of time or overnight so as to become offensive to other homeowners.

23) Vehicle Operation

Owners of vehicles shall be held liable for all costs to repair damages to the Common Area caused by negligence, repair, operation or parking of a vehicle, or storage of any combustible, dangerous or otherwise hazardous material on the Common Area (regardless of the type of the container). All motor vehicles shall not exceed the posted speed limits while operating in the community and all vehicles shall be operated on the paved streets and parking areas only. Neither homeowners nor their contractors shall drive vehicles on unpaved areas.

24) Parking and Vehicles

Unless expressly approved by the Board of Directors or the management agent:

- a) no parking shall be permitted on streets or driveways unless clearly marked as parking spaces;
- b) no boat, boat trailer or unlicensed, unsafe or inoperable vehicle may be parked on the property;
- c) no house trailer, mobile home, or bus, and no recreational motor vehicle, truck or commercial vehicle over one ton capacity or any vehicle that is longer than twenty (20) feet shall be parked on the property; provided that such vehicles which will fit into a designated parking space shall be permitted on the property for loading, unloading or maintenance services during normal business hours;
- d) no washing of vehicles is permitted on the Common Area and vehicle repairs shall be limited to minor emergency repairs, such as a dead battery or flat tire;
- e) vehicles violating these Rules may be towed at the sole cost and risk of the person violating the Rule.

Parking Regulations and Procedures

- a) **OWNER REGISTERED PARKING**
 - i. Each Unit Owner can register as many as two (2) cars. The Association will keep a record of all registered cars.
 - ii. On a limited basis a third vehicle permit may be registered with approval from the Board. Any third vehicle approved must be parked in a Board designated parking space.
- b) **PARKING OR STORAGE OF VEHICLES**

No vehicles may be stored in the parking areas at any time. Stored vehicles shall mean those that remain in a stationary position and are not operated for more than ten (10) days. Periodic movement of an otherwise stored vehicle for the sole purpose of evaluating enforcement of this restriction is strictly prohibited.
- c) **PROHIBITED PARKING AREAS**

Parking is prohibited in fire lanes or other unpaved areas, walkways, in front of dumpsters. Parking on the lawns is strictly prohibited.
- d) **OTHER VEHICLE REQUIREMENTS**

In addition to satisfying all enforcement criteria for an approved vehicle, any vehicle parked on Rivers Point Row HOA must (if applicable):

 - i. be able to operate under its own power. (A vehicle with a flat tire is considered inoperable);
 - ii. display current and valid license plates;
 - iii. be properly maintained, to include proper repair of broken windows, flat tires.
- e) **USE RESRICTIONS**
 - i. To ensure that all residents enjoy safe and attractive parking areas and receive the benefits expected from proper and courteous use of such common elements by others, the following restrictions apply to the use of parking areas:
 - ii. Only vehicles displaying handicap license plates or other legal identification may occupy spaces reserved for handicap parking.
 - iii. Vehicles shall not be parked in a manner which interferes with or impedes ready vehicular access to any adjacent parking space. Vehicles parked on or over the white line designating the parking space will be considered improperly parked.
 - iv. Changing and disposing of motor oil or other vehicular fluids anywhere on association property is prohibited.
 - v. Extraordinary repairs or maintenance of vehicles anywhere on Association property is prohibited.

f) **PARKING OR STORAGE**

No vehicles may be stored in the parking areas at any time. Stored vehicles shall mean those that remain in a stationary position and are not operated for more than ten (10) days. Periodic movement of an otherwise stored vehicle for the sole purpose of evading enforcement of this restriction is strictly prohibited.

25) Firearms and Fireworks

The use of firearms, pellet or air guns, and bows and arrows is prohibited on Rivers Point Row property. No fireworks are allowed.

26) Swimming Pool Rules

The following pool rules apply:

- a) There is no life guard on duty. Swim at your own risk. No children under the age of 13 are allowed in the pool area unless accompanied by an adult.
- b) Pool hours are between 6:30 A.M. until 10:00 P.M. Persons in the pool at other hours may be requested to leave. The pool may be closed periodically for maintenance, in which event notice of closure shall be posted.
- c) Health and safety rules posted in the pool area shall be observed.
- d) Any Owner, resident or guest who wishes to use the pool area for a group function or party consisting of more than eight (8) people must obtain written permission from the Board of Directors or the management agent. Written permission will be granted on a first-come, first served basis except where permission is requested for a series of functions, in which case the Board of Directors or management agent reserves the right to determine the appropriate usage. At any function, the person hosting the party shall (i) be responsible for cleaning up before departure, (ii) be responsible for the conduct of their guests, and (iii) be in attendance at all times.
- e) Unless expressly approved by the Board of Directors, approval of a pool party shall not result in excluding other authorized persons from using the pool in the normal manner.
- f) No pets are authorized in the enclosed pool area. Pets shall not be tied or left unattended in common areas while using the pool.
- g) Except at approved functions, food is permitted only in any designated areas. No glass containers are allowed in the enclosed pool area.
- h) No radios, cassette or compact disk players, phonographs, etc. are allowed in the pool area unless a headphone is used. Live entertainment is permitted only as part of an approved function and only if expressly approved.
- i) Inflatable or floating paraphernalia are not permitted in the pool except as swimming aids.

27) Solicitations

Persons soliciting contributions or the purchase of goods or services, and persons seeking to distribute materials, brochures or information shall not be allowed access to Rivers Point Row property unless (1) expressly required by law or the Board of Directors or (2) expressly invited, by name, as a guest of a specific Unit Owner or tenant, in which the person invited shall limit their solicitation to the person(s) expressly inviting them.

28) Grills

According to Fire Codes 308.3.1 and 308.3.1.1, no charcoal grills, propane grills or fire pits are allowed on the property. Only plug-in electric grills are permitted. Furthermore, according to the Rules and Regulations, Exhibit "E" (b) Prohibited Uses. A Unit Owner shall not permit or suffer anything to be done or kept in his Unit which will, in the sole opinion of the Board of Directors, (i) increase the insurance rates on his Unit or the Common Area, (ii) obstruct or interfere with the rights of other Unit Owners, or the Association or (iii) annoy other Unit Owners by unreasonable noises or otherwise. A Unit Owner shall not commit or permit any nuisance, immoral, improper, offensive or illegal act in his Unit or on the Common Area.

29) Waiver of Violations by Board

The Board of Directors may, for good cause, as determined in its sole discretion, waive violations of these use provision or other rules and regulations promulgated from time to time. Such waiver shall be in writing.

30) Fines for Violations

Without waiver of any other rights which the Association or any Owner may have under the Master Deed or applicable law, the Board of Directors may impose a fine of up to \$100 for each violation of these Rules and Regulations. Payment of the fine may be enforced in the same manner as any other Assessment.

This document shall be filed and recorded in the RMC Office of Charleston County for publication. Per the terms of Article IX Section 9.1 of the Association's Bylaws contained in the Master Deed, "[U]pon request of any Member (of the Association), such Member shall be provided a copy of the(se) rules and regulations..., provided that the Board may charge a reasonable fee to cover any reproduction, mailing, or administrative costs involved."

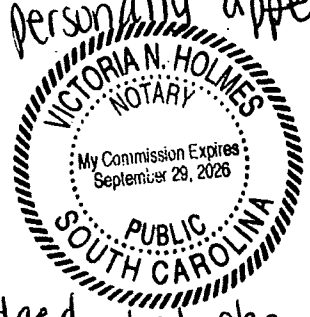
I hereby Certify that the foregoing document was duly adopted by the Board of Directors of Rivers Point Row Property Owners Association, Inc., on this 16th day of NOVEMBER, 2016 and shall become effective as of the date of its filing and recordation.

BY: Elena Ghillani
Rivers Point Row POA
Elena Ghillani, Board President

ATTEST: [Signature]
Gary Dunning, Agent

[Signature]
Michael J. Bukimeya

I Victoria N. Holmes Notary Republic on 16th day of November 2016, before me personally appeared Elena Ghillai, board president of Rivers point Row, who provided satisfactory evidence of her identification to be the person whose name is subscribed to this instrument, and she acknowledged that she executed the foregoing instrument.



Victoria N. Holmes
Notary Public For State of South Carolina
My Commission Expires 09/29/2026

RECORDER'S PAGE



NOTE: This page **MUST** remain with the original document

Filed By:

COUNTER CUSTOMER
RIVERS POINT ROW POA
4 CARRIAGE LANE STE 400-B
CHARLESTON SC 29407

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RIVERS POINT ROW POA

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Note:

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