

HEARTLAND ESTATES HOMEOWNERS' ASSOCIATION (HEHOA)

Member Handbook

INTRODUCTION

Heartland Estates is defined as a 41-unit Homeowners' Association. It is a privately-owned community including the roadway known as Hilfiker Lane. In accordance with its Declaration, By-Laws, and Amendments, it conforms to New York State laws governing Homeowners' Associations.

Living in a shared community has many benefits. It also imposes certain obligations which may seem restrictive to those accustomed to living in a private residence. The Rules and Regulations section of this handbook is intended to answer concerns which may arise in a shared community.

Heartland Estates' property is comprised of common areas owned by the Heartland Estates Homeowners' Association (HEHOA). All remaining land is Common Property. Some common property, such as the unit's driveway, is "restricted" to use by an individual homeowner. All property in Heartland Estates, including buildings, individual lots, common property and restricted common property is subject to the By-Laws and Declaration, also included in this handbook.

Homeowners who sell their units are responsible for leaving with unit the HEHOA handbook, including the Bylaws, Declaration and these Rules and Regulations. Renters of a townhouse in Heartland Estates are subject to the same rules and regulations as homeowners. Homeowners are responsible for advising the prospective renter(s) of the rules and regulations of the Association.

PLEASE NOTE: This copy of the HEHOA Member Handbook reflects the content including additions as of January 14, 2021.

TABLE OF CONTENTS

I.	Role of the Board of Directors	P. 4
II.	Property Management.....	P. 4-5
	A. Board of Directors.....	P. 5
	B. Standing Committees	P. 5
	C. Municipal and Emergency	P. 5
	D. Service Contractors	P. 5
III.	Responsibility Matrix	P. 6
IV.	Rules and Regulations	PP. 7-13
	A. Transfer of Ownership	P. 7
	B. Modifications Requiring Approval	P. 7
	C. Stipulations for Modifications	P. 7
	D. Fiscal Management	P. 7-8
	1. Budget	P. 7
	2. Monthly Assessment.....	P. 8
	E. Exterior Appearance and Upkeep	PP. 8-9
	1. Antennas and Satellite Dishes.....	P. 8
	2. Awnings	P. 8
	3. Decorations	P. 8
	4. Pets.....	P. 8
	5. Signs.....	P. 8
	6. Storm/Screen Doors	P. 8
	7. Outdoor Airing or Drying	P. 8
	8. Trash Collection.....	P. 9
	9. Trespassing	P. 9
	F. Safety and Comfort	P. 9-10
	1. Home Businesses	P. 9
	2. Inspections	P. 9
	3. Dryer Vents.....	P. 9
	4. Heat Tapes, Wires	P. 9
	5. Noise	P. 9
	6. Oversized, Commercial, and Unlicensed Vehicles.....	P. 9
	7. Parking	P. 9
	8. Snowplowing and Sidewalk Shoveling	P. 9
	9. Soliciting.....	P. 10
	G. Ground, Plantings, and Landscape.....	P. 10-13
	1. General Planting Regulations	P. 10
	2. Permanent Plantings in Front of Units.....	P. 10
	3. Planting in Rear and Side Yards	P. 10
	4. Trees Installed by Homeowner	P. 10
	5. Shrub Replacement	P. 10
	6. Pruning, Mulching, Spraying and Fertilizing	P. 10
	7. Grass Cutting	P. 11
	8. Watering Regulations – Grass and Plantings.....	P. 11
	9. Potted Plants in Gardens, Front Entryway and Hanging Plants.....	P. 11

10. Trellises or Support Items	P. 11
11. Insect and Pest Control	P. 11
12. Protective Screening and Fences	P. 11
13. Birdhouses, Bird Baths, and Feeders	P. 11
14. Statuary Items, Figurines, Artifacts and Decorative Décor	P. 11-12
15. Replacement of Original Patio Steps	P. 12
16. Deck Installation	P. 12
17. Garage, Household, and Moving Sales Stipulations.....	P. 12
18. Proper Display of the American Flag	P. 12
19. Light at Front of Garage	P. 12
20. Replacement of Mailboxes	P. 13
V. Services.....	P. 13
1. Service Requests	P. 13
2. Handyman Service	P. 13
VI. Variance Procedures and Requests.....	P. 13-15
1. Variance Requests.....	P. 13
2. Procedure for Handling Requests for Variances.....	P. 13
3. Payment for Unauthorized Changes to Property	P. 13
4. Compliance	P. 13-14
5. Compliance Procedure	P. 14
6. Variance Request Form.....	P. 15
VII. Insurance	P. 16

I. ROLE OF THE BOARD OF DIRECTORS

The Board of Directors of the HEHOA has been established and operates according to the provisions of the By-Laws and Declaration of the Association.

The Board has five members. Terms of service commence at the annual meeting of the Association and are for three years. Elected by a vote of Association members to represent their best interests, the Board is responsible for managing the business and affairs of the Association. The Board meets regularly to evaluate the Association's ongoing financial status, discuss variances and service requests, update documents and monitor contracted work.

Standing Committees include: a) Finance, b) Social, c) Newsletter, d) Architectural Review Committee

II. PROPERTY MANAGEMENT

Crofton Associates (A Community Management Company) is under contract to the HEHOA to provide ongoing administrative services and asset management services for effective management of Association property.

The responsibilities of the Property Manager are:

1. To contract for and supervise maintenance of driveways, building exteriors and grounds.
2. To maintain the accounts of the Association, collect operating and special assessments, and provide monthly financial reports to the Board of Directors.
3. To serve as agent for the Board in administering and enforcing the Homeowners' Association rules and regulations.
4. To carry out other Association responsibilities as defined in the By-Laws and Declaration and in the contract between Crofton Associates and HEHOA.

A. Board of Director Officers and their Terms of Offices

President:	Christine Fiordeliso (2023)	103 McKay Drive 739-8458 cmflpn@gmail.com
Vice President	Dave Houppert (2024)	229 Rayfield Circle 329-5972 davehoup@rochester.rr.com
Secretary	Candie Muzza (2024)	225 Rayfield Circle 716-969-3674 cam2927@hotmail.com
Treasurer	Michael Reed (2023)	222 Rayfield Circle 787-1139 michael_moe_2000@yahoo.com
At-Large Member	Dan Cass (2023)	301 Hilfiker Lane 216-5933 danc1941@yahoo.com

B. Standing Committees

Finance	Mike Reed, Treasurer
Social	Cloe Albano, Chairman
Newsletter	TBD
Architectural Review	Dave Houppert, Chairperson

C. Municipal and Emergency

Fire, Sheriff, Ambulance	911
Town of Webster Police	911
State Police	279-8890
Town Hall	872-1000
Village Hall	265-3770
Crofton Associates, Inc.	
Mike Reinhard, Property Manager	248-3840
Emergency Number – nights and weekends	248-3840

D. Service Contractors

Garbage & Recycling – Suburban Disposal

III. RESPONSIBILITY MATRIX

Maintenance Item	HOA	Owner	
Residence: Buildings			
Basement Walls - Foundation		X	
Front Metal Entry Door, Except Painting		X	
Garage Door, All Operating Mechanicals & Remotes, Except Painting		X	
Glass Surfaces, Skylights & Window Screens		X	
HVAC, Including AC Pad		X	
Light Fixtures & Bulbs on Building Exteriors, All		X	
Plumbing		X	
Roofs, Gutters & Downspouts	X		
Siding, Brick Veneers, Shutters, Casements, Wood Trim	X		
Storm Door & Screens		X	
Residence: Decks & Patios			
Decks & Deck Steps		X	
Patio Privacy Fences, Concrete Patio Slabs & Steps		X	
Common Area: Landscaping			
Grass: Mowing, Trimming, Fertilizer, Weed Control	X		
Grass: Water		X	
Tree & Shrub Care: Trim, Weed, Mulch & Fertilize (includes plants in front of unit)	X		Includes Trees Planted By Owner With Variance Shrubs Or Perennials In Front Must Be HOA Planted Or Variance Approved
Tree & Shrub Care: Watering		X	
Plantings By Unit Owner In Variance Approved Personal Gardens		X	If Used, Mulch Must Be Black
Retention Pond			Village of Webster
Common Area: Roadways and Sidewalks			
Driveways & Hilfiker Lane (Private Drive)	X		
Roadways (Except Hilfiker Lane) & Village Sidewalks			Village of Webster
Sidewalks, Front Stoops, Association-Owned	X		
Services & Utilities			
Animals, Undomesticated			Town of Webster Animal Control
Electric		X	
Electric & Utility Mains/Boxes			RGE
Fire Hydrants			Town of Webster
Extermination, Insects, Pests, Indoor		X	
Extermination, Insects, Pests, Outdoor	X		
Insurance, Master	X		
Insurance, Personal Contents, Liability, Umbrella		X	
Lighting, Street			Village of Webster
Lighting, HOA Sign	X		
Mailbox Posts	X		
Mailbox Located On Post		X	Approved Boxes Are Listed In R&R's
Mailbox On House (Medical Exception)		X	USPS Approval & Variance Request
Refuse Collection, Recycling Standard	X		
Refuse Collection, Special Items		X	
Sewer, Storm & Sanitary			Village of Webster
Snow Removal, Driveway, Unit Sidewalk/Stoops & Hilfiker Lane	X		
Snow Removal, Roads & Town Sidewalk			Village of Webster
Water Lines, Pipes, Drainage, Conduits To House	X		
Water Mains, Dedicated			Monroe County Water Authority

IV. RULES AND REGULATIONS

The Rules and Regulations of the Heartland Estates Homeowners' Association have one primary purpose:

TO ALLOW HOMEOWNERS THE FULL USE AND ENJOYMENT OF THEIR HOMES AND FACILITIES WITHOUT VIOLATING THE RIGHTS AND PRIVILEGES OF ALL OTHER HOMEOWNERS.

A. Transfer of Ownership

In the event of transfer of ownership of the unit, the SELLING homeowner will:

1. Comply with stipulations and guidelines applicable to any modifications made during ownership of the seller OR pay any costs required to restore the property to its condition prior to the modifications.
2. Notify the new owner of his/her obligation to comply with the stipulations and guidelines applicable to the Modifications (listed below).
3. Provide any new owner with a copy of these rules and regulations, the Association Bylaws and the Declaration.

B. Modifications Requiring Approval

1. Structural changes or additions to the exterior of any unit, including but not limited to decks, steps, railings, trees or bushes (not planted by the association).

C. Stipulations for Modifications

1. The owner shall assume all costs of design, construction and the continuing maintenance as scheduled by or approved by the Homeowners' Association through the receipt of a variance request from the owner.
2. In the event maintenance is not continued in a manner acceptable to the association, the homeowner will be obligated for any costs incurred by the Association to continue maintenance or to restore the property to its original condition.
3. To secure this obligation, the Board of Directors, in its discretion, may place a lien on modified property in an amount equal to any costs incurred by the Association.
4. If a request for modification includes plantings of any kind, they are to conform to the planting guidelines below.

D. Fiscal Management

1. Budget
The Board of Directors shall, from time to time, but at least annually, fix and determine the budget representing the sum or sums necessary and adequate for the continued operation of the Association.

2. Monthly Assessment

The monthly assessment will be payable in full on or before the 10th day of the month. Failure to pay by the 10th of the month will result in a late fee of \$25. Any non-payment for 30- 60 days will result in the commencement of collection activity at the homeowner's expense. All expenses incurred will be charged to the homeowner. A non- payment of 90 days will be forwarded to an attorney for collection, and a lien may be filed against the property in the Monroe County clerk's office. All legal fees associated with such filing will be charged to the homeowner.

E. Exterior Appearance and Upkeep

1. Antennas and Satellite Dishes

The Homeowners' Association, by law, conforms to the FCC Regulations regarding satellite dishes. A current copy of the law is available from the Property Manager. No outside antennas, other than the dish, are allowed.

2. Awnings

No awnings are allowed.

3. Decorations

Holiday decorations may be displayed, provided they are removed within two weeks of the holiday.

4. Pets

The total number of domestic pets (cats or dogs) allowed is two (2). No unit owner shall allow any pet to run free on the common areas. Pets on the common areas shall be leashed and accompanied by an adult.

5. Signs

A limited number of certain types of signs, advertisements, or posters may be posted with the following restrictions, as authorized by the Board of Directors. 1) Only one "For Sale" sign may be placed on the front lawn, close to the sidewalk, of a unit. 2) Garage Sale signs may be posted in the complex as organized by a committee approved by the Board to organize an annual Heartland Estates Garage Sale. 3) Signs advertising a private Household or Estate Sale when a unit owner is moving out or the unit is sold as approved by the Board after a variance request is submitted. 4) Political Signs: Out of respect for our 1st amendment rights, a unit owner may place no more than 2 political signs in his front or side yard provided that such signs be placed no sooner than 2 weeks prior to an election and removed no later than 1 day after the election has taken place.

6. Storm/Screen Doors

When replacing your screen/storm door, at the front entrance, there are 2 standard models which must be either full view or self-storage in white or maroon. Any request to replace a storm or screen door, at owner's expense, will require a variance approved by the board.

7. Outdoor Airing or Drying

Outdoor drying or airing of clothes, bedding, or carpets on privacy fences or in yards is not permitted. Installation of exterior clotheslines is prohibited.

8. Trash Collection
Refuse and recycling boxes will be collected weekly from the driveway in front of the garage. Please do not place trash on driveway before 5 PM on the evening before collection. No lumber, metal, bulk materials, rubbish, garbage, or other waste materials shall be kept, stored, or allowed to accumulate outdoors on any portion of the property. Homeowners may call the Property Manager and request special pick-up of bulk refuse at homeowner's expense.
9. Trespassing
Any homeowner who witnesses the presence of persons not associated with the complex is encouraged to notify the police (911).

F. Safety and Comfort

1. Home Businesses
An individual business within a homeowner's unit is allowed if it does not infringe on the character of the neighborhood with signs, increased traffic parking problems, noise or employees.
2. Inspections
Periodically the Property Manager and Board Members may make exterior inspections for the purpose of maintenance, upkeep, and compliance with the rules and regulations.
3. Dryer Vents
To prevent fire hazards, it is recommended that dryer vents be cleaned every 1 to 3 years, both inside and outside.
4. Heat Tapes, Wires
For safety reasons, no heat tapes or wires may be installed on roofs for any purpose except by the Homeowners' Association.
5. Noise
Please be respectful of neighbors and avoid excessive noise.
6. Oversized, Commercial, and Unlicensed Vehicles
No commercial vehicles, other than those vehicles making deliveries or providing services to the development, may be stored or parked on any portion of the properties, except entirely within an enclosed garage.
7. Parking
On street parking is permitted occasionally up to 1 AM. To prevent hazardous traffic conditions, guests should park on one side of the street only. Access to mailboxes must never be blocked by parked cars. Parking on lawns is prohibited.
8. Snow Plowing and Sidewalk Shoveling
Plowing is done on a contractual basis and performed between the hours of 7:00 AM and 5:00 PM when snow reach a depth of 3 inches or more. Sidewalk shoveling will be done under the same circumstances as plowing. Sidewalk "treatment" will be done by our snowplowing contractor when it is deemed necessary. If individual homeowners wish to treat their own sidewalks, they must use calcium chloride (Ice Melt), NOT SALT, which damages concrete.

9. Soliciting
Soliciting is discouraged. Homeowners may politely ask solicitors to leave the premises.

G. Grounds, Plantings, and Landscape

1. General Planting Regulations
Uniformity of the landscape is a priority and adds to the attractiveness of the community.
Homeowners are responsible for the care of the annuals and perennials they add. This includes: trimming as needed, removal of dead blossoms as needed, and removal of annuals from the ground after a killing frost. [The homeowners' association is responsible only for plantings in the front of the unit.]
The Homeowners' Association will apply mulch to the front plantings. Any homeowner applied mulch must match that which is applied to the front.
The planting of trees and/or bushes, when permitted, must be approved specifically through a variance request. Before any approved planting is done. Safe-Dig must be contacted to locate any electrical hazards located in the area.
2. Permanent Plantings in Front of Units
Homeowners may plant flowers or shrubs, selected from a list* (see below) provided by our landscaper, in the fronts of their units at their own expense. The homeowner must submit a detailed variance request which includes an exact description of what plantings the homeowner wishes to plant. If a homeowner wishes a landscaper to purchase and install the plantings, the homeowner may arrange it at their own expense after getting an approved variance for the work.
* Approved Plantings: Wichaleia, Spyrea, Boxwood, Hosta, Hydrangea
3. Planting in Rear and Side Yards
Homeowners may plant flowers and/or shrubs in the rear and side gardens of their unit. Any such shrubs and or flowers are to be the sole responsibility of the homeowner who planted them. Thus, such plantings and or shrubs may be planted without the homeowner's having submitted a variance.
4. Trees Installed by Homeowners
Only those with approval of the Board of Directors will be sprayed and maintained by the Association and will fall under the ownership of the homeowners' association.
5. Shrub Replacement
Shrubs will be replaced on a scheduled basis upon the advice of the landscaper. Homeowners are responsible for pet damage to Association shrubs and lawns. Shrubs needing replacement due to lack of water will be replaced with the cost to be borne by the homeowner. Only shrubbery that has been planted by the Association will be replaced by the Association.
6. Pruning, Mulching, Spraying, and Fertilizing
All Heartland Estates Homeowners' Association-owned trees, shrubs, and bushes will be pruned, mulched, sprayed, and fertilized by an appointed contractor. Any mulch applied by a homeowner in areas other than the front must be the same color and material as that applied in the front.

7. Grass Cutting

Grass cutting is done by contractors hired by the Association. Unit owners are requested not to interrupt these contractors in their work or interfere with the job they have been contracted to do. All hoses, furniture, decorative items or any other items must be removed from the area to be mowed no later than the night before the landscape contractors are scheduled to mow. Homeowners will be notified which day the mowing will take place.

8. Watering Regulations – Grass and Plantings

Just as interior plantings in our homes need regular watering, so do the exterior plantings. As our Association fee does not cover this task, and we have no one contracted to do the watering, we ask each homeowner to water exterior plantings on a regular basis.

Please be aware that grass watering is fruitless during the hottest portion of the day. Watering is best done before 9 AM and after 5 PM for ONE HOUR in each location. It is most important that each and every homeowner water their grass regularly to preserve our investment in lawn care and treatment.

9. Potted Plants in Gardens, Front Entryway, and Hanging Plants

Potted annual plants and flowers in front and side gardens are allowed, but their height should not exceed that of the surrounding plants. Please remove any freestanding pots by November 1. No other items are allowed on the front stoop or sidewalk.

10. Trellises or Support Items

Must be approved by the Board of Directors through a Variance Request.

11. Insect and Pest Control

The Town of Webster Animal Control will trap and dispose of undomesticated animals on our property. The Homeowners' Association will remove any undomesticated animal which destructively, through boring, digging, or gnawing, enters a unit or its walls. The association annually contracts to have bees, ants and other insects eradicated.

12. Protective Screening and Fences

No fence, wall, or screen of any kind shall be planted, installed, or erected upon property or other portions of the exterior of the unit unless approved by the Board of Directors.

13. Birdhouses, Bird Baths, and Feeders

Free-standing bird houses or wildlife feeders mounted on poles must be approved by the Board of Directors. All clean-up related to houses and feeders is the sole responsibility of the homeowner. Bird baths are allowed as long as they do not restrict the mowing of the lawn.

14. Statuary Items, Figurines, Artifacts, and Decorative Décor

No artifacts of any type are allowed in the front yard areas, sidewalks, driveways, exterior walls, or roof tops. Artifacts are allowed in front gardens as long as they are comparable in height to existing shrubs. Only one decorative item is allowed on the front stoop or sidewalk. This includes pots, potted plants, furniture, or anything else

that may pose a safety issue to visitors, residents, or any persons contracted by the homeowners' association such as snow-shovelers.

15. Replacement of Original Patio Steps

The replacement of the original, temporary, builder's steps leading to the patio requires the submission and approval of a variance request form. These requests will be approved with the following stipulations:

- The railing is to be 33 inches in height and have spindles between the top railing, the landing and the steps in order to assure uniformity throughout the complex.
- Pressure treated lumber should be used and allowed to age for one year before applying a clear stain and waterproofing or painting them. If using a color stain or painting, the color for the railing, steps and sides will be white and the steps gray. The white should match the unit's trim.
- These steps must be maintained by the homeowner.

16. Deck Installation

A variance request must be submitted and approved in order to have a deck added to your unit. The variance will be approved providing that the following stipulations are met:

- The deck should not exceed 13 feet in width and 16 feet in length with steps not to exceed 3 feet in width.
- There should be a proper railing around the entire deck.
- If pressure treated lumber is used, it must be allowed to dry for one year before applying a clear stain and waterproofing. An approved builder who is bonded and insured must be used.
- All deck plans must meet village of Webster Code.
- The homeowner must provide the HEHOA with a copy of the building permit.

17. Garage, Household, and Moving Sales Stipulations

Heartland Estates homeowners can participate in a community wide (Heartland Estates) garage sale to be held on one weekend per year (most likely in the summer). With the approval of the board, a committee will be formed to organize the event. The committee will be responsible for advertising, putting up "no parking" signs, informing residents of the event, and general supervision of the sale. The committee will report to the board their recommendations prior to the sale.

Homeowners or their families can have a 2-day household or estate sale when their unit is sold and/or they are moving out. A variance or request for approval must be made to the board at least 2 weeks before the sale.

18. Proper display of the American Flag

The U.S. flag should occupy a place of prominence and be displayed in accordance with military standards. No other flags displayed with it should be larger or hung higher than the U.S. flag. In addition, the U.S. flag should not be allowed to touch the ground. If you wish to display the flag here at Heartland Estates, a variance request is required and, if approved, the pole bracket must be attached to the front of the front stoop post. The bracket should be attached below the house numbers.

19. Light at Front of the Garage

No decorative item may be suspended from the light on the brickwork of the garage. Hanging objects may loosen the fixture requiring replacement. Any light broken by such a display of a decorative will be replaced at the owner's expense.

20. Replacement of Mailboxes

Replacement mailboxes should be 8.75” in height, 6.75” in width, and 20.125” deep, #C1100B00 standard black metal which can be purchased at Lowes. The numbers should be 2” Mylar reflective, also available at Lowes.

V. SERVICES

1. Service Requests

When attention to a unit or common area is needed, please call Crofton Purdue Associates: 248-3840.

2. Handyman Service

Crofton Perdue Associates provides this kind of service to homeowners for work that needs to be done on the interior of a homeowner’s unit. The cost is to be borne by the homeowner. The phone number is 248-3840.

VI. VARIANCE PROCEDURES AND REQUESTS

1. Variance Requests

A Variance is required whenever a Homeowner wishes to make a change that impacts the exterior of his/her home or to make a change to the patio, the front “stoop” or the landscaping. The purpose of the Variance is to maintain the look and architectural appeal that Heartland Estates currently enjoys. The Board of Directors must approve the variance before it is implemented using the various formal documents as its frame of reference. The variance form requires a description of the change and the time frame for the change. The form is included in this Handbook or can be obtained from the Property Manager, from any Board member, or from the Crofton Perdue website. Once you fill out the form and return it to the Property Manager, your request will be answered as quickly as possible. **Remember: do not begin any work before receiving approval of the Variance request.**

2. Procedure for Handling Requests for Variances

All requests for a variance must be submitted to the Property Manager. Upon receipt of a request for a variance, the Property Manager will immediately distribute a copy of the request to the Board members for review and action. The Board will act at the next monthly meeting on variances received at least 10 days before the meeting. The Property Manager will keep track of all open variances. If the variance request requires extensive review, the Property Manager will notify the owner of any delay. The Property Manager will immediately notify the owner of the outcome and send him a copy of the approved variance. Approved and disapproved variances become part of the unit’s file.

3. Payment for Unauthorized Changes to Property

When an Owner makes a change without following the variance procedures, the Owner is responsible for all costs associated with returning the unit to its original state/condition as requested by the Association.

4. Compliance

The Declaration of Covenants, Conditions, and Restrictions of the HEHOA states: “The Board of Directors shall have the power to establish penalties for violation of rules and regulations adopted by the Board of Directors and which includes the personal conduct of the owners, their families, and guests thereon.” (p. 34) As stated, the Board has responsibility for overseeing compliance with the association’s Rules

and Regulations as set forth in the Member Handbook or as otherwise established by the Directors. In the event of non-compliance, the Property Manager is directed by the Board to advise an individual homeowner, by letter, detailing the specific complaint and specifying a time for corrective action. Penalties for continued refusal to comply with the Property Manager's requests may include:

- Removal by the Association, at homeowner expense, of unauthorized additions to the property or buildings, and restoration to a previous condition.
- Towing of illegally parked or stored vehicles.

The imposition of all reasonable costs, fines, and/or penalties, including but not limited to, reasonable attorney's fees incurred by the Homeowners' Association to secure compliance with the Rules and Regulations, the Association's Bylaws and *Declaration of Covenants, Conditions, and Restrictions* upon the person or entity guilty of such non-compliance, and the placing of liens upon a homeowner's unit to insure payment of fines levied or the costs incurred by the Homeowners' Association to secure such compliance.

5. Compliance Procedure

The Board has established the following enforcement procedures and penalties for infractions of the Homeowners' Association's Rules and Regulations:

- An infraction will be deemed to have occurred when the Board of Directors becomes aware of a perceived violation and has authorized sending a Notice of Infraction to the homeowner concerned. The notice normally will be sent by the Property Manager.
- The notice must set forth the nature and detail of the rule(s) violated as well as the suggested remedy.
- It must set a reasonable time for the homeowner to take corrective action.
- It must alert the homeowner to the penalties for failure to take corrective action by the date set forth in the notice as follows:
 - ✓ A fine of \$50 per day starting the day following the compliance deadline set forth in the Notice of Infraction.
 - ✓ After \$250 (5 days of non-compliance) in fines has accrued and the homeowner has not responded or taken corrective action, the Property Manager may, at the discretion of the Board, file a mechanic's lien on the property of the homeowner involved.
 - ✓ When corrective action by the Association is deemed necessary, the Board shall authorize the work to be done, charging the cost thereof to the homeowner and taking such legal remedies as required to have the violation corrected.

HEARTLAND ESTATES HOMEOWNERS' ASSOCIATION

Variance Request Form
(To be completed by Homeowner)

Date Requested: _____

Resident Name: _____

Resident Address: _____

Resident Telephone: (Home) _____ (Work) _____

I request permission to make the following changes to the exterior of my townhouse.

Any improvements are subject to local town zoning ordinances, which must be approved. It is the homeowner's responsibility to ensure conformance with town zoning. It is also the responsibility to apply for and receive a building permit from the village of Webster where applicable.

(This portion to be completed by the Board of Directors)

____ Approved ____ Approved with Conditions ____ Disapproved

Date: _____ Signature _____

For conditions, see reverse. Latest completion date after which any approval is automatically revoked and a new variance request is necessary. _____

Please Return To: Mike Reinhard, Property Manager
 Crofton Associates, Inc.
 111 Marsh Road, Suite 1
 Rochester, NY 14534

VII. INSURANCE

The Association's master insurance policy covers property losses for the structure of the townhouse and liability coverage for the common area. The current policy is with Erie Insurance, Quinton Agency, (585) 388-9530.

It is important for you to acquire and maintain a separate insurance policy (Form HO-6 "All Risk") for the contents of your townhouse and to provide liability coverage for the inside of your home. The Heartland Estates Homeowners' Association, Inc. is not responsible for this type of coverage.

If you incur a loss in your townhouse that is totally confined to the interior, you should call your insurance agent directly to file a claim. If the claim involves a loss on the outside or a combination of interior and exterior, please contact our property manager, Mike Reinhard, at the Crofton Associates, Inc., (585) 248-3840.