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BEAUFORT COUNTY SC - ROD
BK 3787 Pgs 3291-3300
FILE NUM 2019045186
08/22/2019 12:51:41 PM
REC'D BY pbaxley RCPT# 943549
RECORDING FEES \$25.00

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STATE OF SOUTH CAROLINA)
) IN THE REGISTER OF DEEDS
COUNTY OF BEAUFORT)

AFFIDAVIT OF ATTORNEY FOR THE INDIAN SPRINGS HOMEOWNERS' ASSOCIATION, INC. PURSUANT TO THE SOUTH CAROLINA HOMEOWNERS ASSOCIATION ACT, S.C. CODE ANN. SEC. 27-30-110, ET SEQ.

PERSONALLY, appeared before me, DOUGLAS W. MACNEILLE, who, being duly sworn, deposes and states:

1. That he is a citizen and resident of the State of South Carolina.
2. That he is a member in good standing of the South Carolina Bar.
3. That he is a shareholder in the law firm of Ruth & MacNeille, P.A., legal counsel for the Indian Springs Homeowners' Association, Inc., a South Carolina nonprofit corporation (herein the "Indian Springs HOA").
4. That he has personal knowledge of the matters contained in this Affidavit and, as to those matters asserted to be on information and belief, he verily believes them to be true.
5. That the Indian Springs HOA is in good standing with the South Carolina Secretary of State.
6. That attached hereto is a true and accurate copy of the "INDIAN SPRINGS HOMEOWNERS' ASSOCIATION, INC. POOL RULES", *revised July 2019*. This document has been duly approved and adopted by the Indian Springs HOA Board of Directors, which has approved the recording thereof.
7. That Indian Springs HOA is recording this document in accordance with the provisions and requirements of S.C. Code Ann. Sec. 27-30-110, et seq.

FURTHER AFFIANT SAYETH NOT.

(Signature on following page)

INDIAN SPRINGS HOMEOWNERS' ASSOCIATION, INC.

RULES AND REGULATIONS

Pursuant to the Master Deed and By-Laws, the following Rules and Regulations are promulgated for the owners and occupants of units in Indian Springs.

The following definitions apply:

ASSOCIATION: means Indian Springs Homeowners' Association, Inc. represented by its elected Board of Directors.

BOARD: the Board of Directors of the Homeowners' Association, as described in the Master Deed Article I, Section 1.

COMMON AREAS: means all of the property not part of individual units or limited common areas, as described in the Indian Springs Master Deed.

CONDOMINIUM UNIT: means a part of the property intended for any type of independent use, including one or more rooms or enclosed spaces located on one or more floors in a building with a direct exit to a street or highway. A detailed description of the individual units is given in Exhibit "F" of the Master Deed.

GOVERNING DOCUMENTS: means the South Carolina Horizontal Property Act, the Master Deed of Indian Springs Homeowners' Association, Inc., the ISHOA By-Laws and the Rules and Regulations of the property, all as amended from time to time.

LIMITED COMMON AREAS: means the walkways, elevators and entrances serving particular units, as described in the Indian Springs Master Deed.

OCCUPANT: means any owner of a unit, any tenant of an owner or any guest occupying the premises. [Owners are responsible for seeing that tenants and their guests are aware of these rules and abide by these rules.]

1. SECURITY

- Security is the responsibility of everyone. Occupants are urged to call Hilton Head Plantation Security (843.681.2459) if they see a suspicious person or activity. [Occupants should consider notifying security if they plan to be away from their unit for more than a week.

2. KEYS

- Keys for each unit in each building are secured in a lockbox by the elevator. Only Hilton Head Plantation Security personnel have access to the lockboxes. Security should not be called for non-emergency access, such as forgotten keys or expected deliveries. These matters should be worked out with friends.
- In accordance with the provisions of Article VII Section 3 of the By-Laws, keys to each unit are also required to be placed in the custody of the Property Manager for use 1) in an emergency threatening the unit regardless of whether the owner is present or not and 2) to allow the entry of service workers, exterminators and annual fire alarm testing, to all units for periodic service.
- If a unit is covered by an electronic security system, a code must be provided to the Property Manager.

- When door locks are changed, two keys are to be supplied to the Property Manager so as to comply with security and pest control regulations.

3. IN CASE OF FIRE

- If a fire within the complex comes to your attention, telephone the Fire Department by dialing 911 and give the dispatcher the exact location. 71 Skull Creek Drive and Unit Number
- All occupied buildings are equipped with automatic smoke detection equipment that will notify the fire department of the location of the fire.
- When an alarm is heard, vacate the building immediately, leaving your door closed and unlocked. Alert other occupants whenever possible.
- EXIT UPPER FLOORS BY STAIRWAYS. DO NOT USE THE ELEVATORS.
- All owners and guests onsite should immediately report to the pool area for a census required by the fire department.
- **There is a tag on the bottom of the monitored smoke detector, which states that this smoke detector should not be disturbed. The alarm is extremely sensitive to dust. Owners should remind contractors of this to avoid sending a false alarm when doing repair work in the villa.**
- **There is a charge to an owner who is responsible for a false alarm, which causes a fire truck to be dispatched to the property. There will be a one-time waiver for an accidental alarm. After the first accidental alarm, the owner will be charged \$50.00 for any subsequent alarms.**

4. MOTOR VEHICLES

- Each residence is provided with two parking spaces. If a resident has more than one vehicle, only one is to be parked adjacent to the building.
- Each building has one handicap parking space to be utilized only by vehicles with handicap parking permits.
- All commercial vehicles, motor homes, campers, boat trailers, etc. are prohibited from parking overnight.
- Motorcycles, motor bicycles and mopeds are prohibited unless they comply with the Hilton head Plantation rules.
- All vehicles parked on the premises must have valid registration plates, current plantation decal or pass visible, as well as current auto liability insurance.
- Washing or repair of motor vehicles on the premises is prohibited.
- The speed limit on the property is 15MPH.

5. PETS

- Owners may have pets.
 - **Owners are allowed 2 dogs, or 2 cats, or one dog and one cat.**
 - **No exotic animals are allowed**
- Persons renting may not have a pet unless approved by the owner and the same rules apply.
- Pet owners must comply with the Town of Hilton Head and Hilton Head Plantation ordinances. The Hilton Head Plantation ordinance in part states “only generally recognized household pets are permitted and pets cannot be kept for breeding or other commercial purposes.”
- Everyone is required to pick up after his/her own pet or any pet under his/her care. Violators will be fined after two written warnings. **Pets should be curbed away from the buildings and any grass areas adjacent to the buildings.**
- Pets are not permitted to roam unattended and must be on a leash, held by an owner or guest, while on common property. Tethering a pet anywhere on the property is prohibited.
- Pets are not allowed in the pool area.

6. MAINTENANCE AND USE

- Each occupant shall maintain and use his/her residence in such a manner that does not create a fire hazard or nuisance to other occupants and that does preserve the exterior appearance of his/her unit. Corollary to this are the following specific provisions, which are not in any way limitations of this general rule.
- All types of barbecue grills are prohibited on all porches and decks and outside individual units.
- No fireworks may be used at any time in or around Indian Springs.
[This is a Town Ordinance, as well as local restriction.]
- No personal items may be placed in any common or limited common areas. This includes hallways and landscaped areas. Existing doorknockers may be retained. New doorknockers shall be of brushed nickel finish. Doormats are permitted at front entries and seasonal decoration, such as wreaths, may be displayed on entry doors.
- Nothing may be attached to the outside of any building, except as specified in this document. The outside walls of the buildings are common areas.
- Residents should not feed birds or animals from their open porches as this encourages wildlife onto the buildings, as well as making open porches unsanitary, and also causes discoloration of the Sealoflex flooring.

7. ALTERATIONS

A. Alteration Permit Policy and Procedure (Referred to as an ARB)

- The Indian Springs Homeowners' Association, Inc. Alteration Permit Policy/Procedure applies to all contemplated alterations. Owners are to contact the Property Manager, or visit IMC's website, for the form required to obtain authorization.
- Alterations and modifications proposed by any Indian Springs unit owners must be defined with a formal plan. This document should be attached to the *ISHOA Alteration/Improvement Permit Form* and submitted to the ISHOA Property Manager no less than 60 days prior to the anticipated start date of the alteration(s). The permit form and plan is required for modifications that:
 - Change the exterior appearance (porches, windows, doors, Hurricane shutters, window treatments, screen awnings, etc.)
 - Change the existing configuration of the interior rooms and/or corridors.
 - Change the existing floor materials (stone, tile, wood).
 1. The finished wood **or laminate** flooring must be installed as a floating floor and cannot be glued or nailed to the existing subfloor.
 2. The floor underlayment for *all* hard surface finished floors in living areas must have a minimum Delta IIC rating of 21.
 3. In addition to the above finished floor requirements any repair/replacement of the lightweight concrete subfloor must be included in the ARB submittal, or will require an additional ARB submittal if determined later.
 - Change "floor loading requirements," such as new household equipment that required increased weight tolerance. Examples include kitchen or bathroom items such as granite countertops, oversized bathtubs, etc.
 - Require fastening to any common or limited common element of the building.
 - Require any alteration of or addition to plumbing, electrical wiring, or fireplace and chimney.
 - **A copy of the permit must be displayed in the window of the villa while the work is being done.**
 - **All work must conform to applicable Town of Hilton Head & State of South Carolina Fire, Sound & overall Building Codes.**

- **Contractors should be directed to place material and tools in a space in the parking lot and not in the hallway or on the lawn.**

NOTE: Underlayment/Insulation materials must be approved by the Indian Springs ARB.

- The ISHOA Property Manager must forward the “ISHOA Alteration/Improvement Permit Form” submitted by the owner to the Board of Directors within five days of receiving the form. The formal plan attached to the “ISHOA Alteration/Improvement Permit Form” shall include:
 - Drawings or detailed sketches of the changes proposed
 - Finish treatments
 - Size of windows, screens or doors (Screens must be Silver Grey “18/16” fabric)
 - Type of materials to be used
 - Type of appliances, fixtures or other equipment to be added
 - Contractor’s name, address, phone number, SC license number, certificate of liability and workers compensation insurance and copy of Town contractor’s license
 - A copy of the Town building permit, Hilton Head Plantation permit and Corridor Review Committee approval, if required for the work to be done
 - Proper insulating materials must be approved by the property manager and ARB
- The ARB/Board of Directors may deem that the plans may adversely affect the building structure or violate building or fire codes. In this case the owner will be required by the Board to have a licensed architect or engineer approve the plans.
- Failure by the Board to signify in writing its approval or denial of the request for modification no later than 60 days after it was received shall constitute approval of the request as submitted. Should the Board deny the approval of a plan, the owner may modify and resubmit the proposal for subsequent review by the Board.

8. TOWN OF HILTON HEAD BUILDING PERMIT AND OTHER PERMITS

- Securing a Town of Hilton Head Building Permit, if required, is the responsibility of the unit owner. **Note that Indian Springs’ buildings are rated as “commercial” by the Town, are subject to commercial regulations and codes, and require the appropriate licensing of contractors.**
- Securing a Hilton Head Plantation POA or any other governing body permit, if required, is the responsibility of the unit owner.
- All required permits must be obtained before work begins and copies must be submitted to the Property Manager.

9. PORCHES

- Porches may be glassed in provided the enclosure blends with the building and also provided that plans have been submitted and approved in accordance with #7, Alterations. Written permission must be obtained from the Association in advance.
- Exterior Porch Inspections
 - Proper maintenance is vital in maintaining the integrity and prolonging the life of the Seal-O-Flex waterproof membrane on all exterior porch floors. As a limited common area, the Association is responsible for their repair and maintenance. Therefore, it is essential that the HOA and homeowners work together to ensure these areas are being properly maintained. Owners are asked to:
 1. Regularly monitor their exterior porches for any signs of damage (cracks, bubbles, water penetration, etc.) particularly after storms and report them to the Property Manager.
 2. Exterior porches may be visually inspected on a quarterly basis. Mindful of privacy, owners will be given a courtesy of 48 hours advance notice and inspections will only be performed during normal business hours.

3. It has been our experience that the vast majority of porches are maintained beautifully. However, in the rare instance of a porch not being properly cared for, the owner will be notified in writing, after which they will have 5 business days to correct the situation. A re-inspection will occur within one (1) week.
4. As it states in our Bylaws, owners are responsible for repairs that are a result of negligence or misuse.

10. DRAPES AND BLINDS

- **All drapes, shutters, blinds and other window treatments must have white lining or white paint on the surfaces visible from the outside.** Colored drapes, shutters, blinds and other window treatments are prohibited.

11. ANTENNAE

- No radio, TV or other antenna or wiring may be attached or drilled into the exterior of any building or upon the common elements.

12. FRONT ENTRY DOORS AND STORM DOORS

- Replacement front door hardware, including locks, knobs, doorknockers and other hardware must be brushed nickel finish.
- Owners may add or replace storm doors on the front entry door and porches provided the Board approves them. Specifications for a standard storm door area available from the Property Manager.
- Replacement of front door side windows may ONLY be frosted or clear. No tinted windows are permitted.

13. AWNINGS

- Owners of third floor units may install retractable awnings in a color approved in advance by the Board. Information is available from the ISHOA Property Manager.
- Awnings must be installed in accordance with ISHOA specifications for Hardy Plank.

14. CHILDREN

- No unit may be occupied by children less than 18 years of age, without an adult present.
- Children may not ride bicycles, scooters, skateboard, etc. in the parking lot except to enter or exit the property.
- Children and adults should not play sports or games in the parking lot.

15. ANNOYANCES

- No occupant may make or permit any disturbing noises, or do anything that would interfere with the rights, comforts and conveniences of other occupants and shall abide by the Rules and Regulations of Hilton Head Plantation.

16. POOL FACILITIES

- Use of the pool facilities must be in accordance with posted rules and generally is limited to the hours of 7:00am to 10:00pm.
- An adult must accompany children under 16 years of age.
- No pets are allowed in the pool area at any time.
- No glassware or glass bottles are allowed at any time.
- Loud noise is not permitted.
- Any occupant using the pool is responsible for seeing that it is left in a neat and clean condition, restrooms are locked and umbrellas are folded down.

- Rules governing the pool shall include those set forth by the South Carolina State Board of Health and Environmental Control.
- All guests must be accompanied by a resident or have permission of a resident while utilizing the pool.
- At least one member of each group must have in sight an I.D. bracelet or an appropriate ISHOA I.D. to show legitimate use of the pool. The Property Manager will issue I.D. bracelets to owners.
- Per DHEC regulation, no solo swimming is allowed.

17. REFUSE

- Garbage and refuse must be placed in plastic bags, tied and deposited in the containers provided in the disposal areas. Only ordinary household trash is to be deposited in the trash areas. No furniture, construction debris or plant material may be deposited in the trash area.
- Containers should not be overfilled and lids should be closed to avoid invasion by raccoons, possums and other varmints.
- Corrugated cartons that do not fit inside containers must be flattened and tied securely.
- Refuse dropped in and around the disposal area must be picked up.

18. SIGNS

- No signs or advertising notices of any kind, including but not limited to, "For Sale" and "For Rent" signs, shall be displayed so as to be visible from the outside of any unit.

19. NOTICES

- All official notices of Indian Springs shall bear the official stamp of the Indian Springs Home Owners Association, Inc. and shall only be posed by the Board of Directors or the Property Manager.
- No occupant shall make or post any notice on the premises, or circulate same among the occupants, with the exception that notices of a social nature from one occupant to others may be permitted, provided the signature of the occupant posting or circulating same is clearly affixed.

20. STORED ITEMS

- Floats, beach chairs, fishing gear, bicycles and sports equipment may not be left outside residences or in the pool area or common or limited common areas.
- Sheds are available for storage of bicycles. Due to space limitations, owners may place only two (2) bicycles in the bike shed.
 - All bikes in the bike shed must be in working order
 - All bikes in the bike shed must be identified by a current ISHOA bike tag.
- The first-floor utility room may not be used for storage of anything other than one Association owned grocery cart. Anything else is subject to being confiscated and discarded.

21. MANAGEMENT

- A.J. Bucko of IMC Resort Services, Inc. (843-785-4775 x107) is the Property Manager of Indian Springs.
- All questions, requests for maintenance and questions regarding regime fees, budgets, expenses, etc. should be directed to IMC Resort Services, Inc.

22. LANDSCAPING

- Owner, tenants and guests may not add to or alter landscaping in any way.
- Owners, tenants and guests are asked not to engage the landscaping crew or make special requests. All requests should be made through the Board or Management Company.

23. DOCK USE

- The dock and walkways leading to it are for the use of residents and their guests ONLY.
- Watercraft of any type and size are prohibited from utilizing the dock for the purposes of loading and/or unloading passengers or goods.
- The dock is not to be used for the purpose of securing a vessel.
- Rocking chairs are to be laid down on their side after use due to winds.

24. EXTENDED ABSENCE (5+ DAYS)

- Should a resident of a unit be absent for five or more days, it is recommended that he/she:
 - Notify a neighbor or local friend of the plans to be away
 - Notify the Property Manager by note of the plans to be away
 - Unplug television sets, computers and other electronic equipment, which might be damaged by electrical surges
 - Leave the refrigerator running
 - Leave the heat/air conditioning on
 - An a/c contractor should be contacted for a recommendation regarding temperature settings. The rule of thumb is temperatures should be maintained at a minimum setting and at a maximum setting depending on the time of year to prevent freezing and mildew in unoccupied villas.
 - Contact the Property Manager with any questions.

25. VIOLATIONS

- Any violation of the Rules and Regulations is punishable by a fine of \$50.00 for each occurrence or \$50.00 per day for a continuing violation. This will be assessed against the owner, who is responsible for his own behavior and that of his tenant or guests. After a fine has been imposed for more than a week, the Board may take further action, such as removing items from the common area.
- If fines are not paid within 30 days, further action may be taken.
- All complaints against residents must be submitted in writing and shall contain the date and time of the alleged violation.
- All complaints must be signed and submitted to the Board of Directors in a timely fashion.
- Generally the Association will notify a violator before assessing a fine.
- Any occupant accused of violations and assessed a fine may ask to be heard by a Grievance Committee, which shall consist of three owners, who are not Board members, appointed by the Board of Directors. After a hearing, if a Grievance Committee finds that the violation did occur, the fine shall not abate.
- All reasonable expenses, including fines, incurred by the Association in regard to violations shall be assessed back to the owner or owners at fault, or whose tenants or guests are at fault.
- In addition to the foregoing, the Association has the authority under the Master Deed and By Laws to terminate any lease and expel any tenant guilty of repeated violations of the rules.

26. LEASING OF UNIT

- Any owner, either individually or through a management/rental company or Real Estate agent, shall have the right to lease or rent his unit on a long-term basis. Long-term basis shall be defined as a written lease agreement between an owner (either individually or through a management/rental company or a Real Estate agent) and a tenant/lessee for a period of one year or more. The Board must approve leases for occupancies less than twelve months.

27. PAYMENTS

- Payments of monthly regime fees, assessments and fines are due by the 10th of the month. Failure to pay full amounts on time will result in a fine of 1.5% of the unpaid balance with a minimum of \$25 for each month any payment or part thereof is past due.

28. FIREPLACES

- It is the responsibility of the unit owners to maintain the fireplace and chimney in good working order. To assure the safety of all, chimneys are to be cleaned and inspected.
- The Association will have fireplaces inspected every other year in the fall. If the fireplace needs to be cleaned it will be cleaned at the owner's expense.

29. ADDITIONAL RULES APPLYING TO BUILDINGS AFTER JUNE 2008

- Nothing may be nailed to Hardy Plank siding or ceiling material inside or outside the unit.
- Wheeled hand trucks or luggage may not be used on stairways due to the possibility of crushing the aluminum nosepieces on the treads.
- Furniture and appliance deliveries
 - Furniture and appliances must be wheeled from the elevator to the unit on flooring mats so as not to damage the Seal-O-Flex floors in the hallways. Mats for residents use are located in the "B" building electrical room.

30. GRILL USE

- Grill is for the use of Indian Springs residents only
- Grill must be attended at all times
- Please do not move grill to another location
- Grill must be cleaned after each use
- Please turn off all burners and gas tank when finished
- After grill is cool – Wipe down and cover grill
- If the propane runs out, please notify the Property Manger
- Please dispose of all trash
- Please be courteous with time when others are waiting

31. ATTICS

- Owners of all 3rd floor units must maintain clean and safe attics.
- The firewalls in these attics are common property and may not be compromised by the additions of new air conditioning units, shelving, etc.
- Flammable liquids may not be stored in the attics.
- Annual & sale of unit inspections will be performed.

REVISED July 2019