



Dear New Neighbor,

Congratulations on the purchase of your new home. On behalf of the Windemere Woods Homeowners Association Board of Directors, we would like to officially welcome you to the Windemere Woods neighborhood. We are pleased that you have chosen to call Windemere Woods neighborhood your home.

The Windemere Woods Homeowners Association (HOA) Board is made up of Windemere Woods residents who volunteer their time and energy to facilitate and maintain the Homeowners Association for the residents.

The board's charter and primary duty is to preserve the integrity and maintain the appearance of the neighborhood according to the Windemere Woods Subdivision Association By-Laws and Declarations of Easements, Covenants, and Restrictions; as recorded in Liber 97 and 5708 in the Macomb County Clerks Office on December 30, 1992. In addition, the board is responsible to manage the following:

- 1) Common Area Maintenance, Landscaping, and Repairs
- 2) Provide Architectural Change/Improvement Guidance
- 3) Oversee the Declaration of Easements, Covenants, and Restrictions Rules Enforcement.

In addition to the Board, our HOA is managed and administrated by the Michigan Barrister Group, PLLC; under Phil M. Brecht, Attorney & Counselor at Law. HOA questions, concerns, issues, and violations should be directed to manager@windemerewoodshoa.com

Included with this letter you will find some general information regarding our HOA. The board created this for your benefit to simplify our By-Law Rules/Regulations. The pages that follow contain some helpful information that may come in handy in the future.

Our HOA also utilizes an email system for direct communication with the Board to help keep the neighborhood apprised of special events, updates, and/or announcements. So please return your email address and contact information to windwoodsassoc@gmail.com at your earliest convenience, so that you can be added to the distribution list. And, you can find other information about this great place we all call home by signing up to our closed group, Facebook page: facebook.com/groups/windemerewoodsmacomb (more info on next page).

Again, welcome to your new home and your new community.

Sincerely,

The Windemere Woods Homeowners Association Board of Directors



Welcome to the Windemere Woods Homeowners Association

Moving onto property governed by a homeowners association can be a confusing and challenging ordeal, especially for those who have never before been involved with a homeowners association. Windemere Woods Homeowners Association (WWHOA) would like your experience here to be a positive and enjoyable one.

To help you, we have created this brief document to touch upon some key areas of interest for all new homeowners. This document is not designed to replace or substitute for the Windemere Woods Homeowners Association governing documents. All potential homeowners were given the opportunity to read and understand the governing documents or, should've been by their Realtor prior to moving into the Windemere Woods Homeowners Association, and each homeowner has the responsibility to honor the provisions of those documents.

GARBAGE/TRASH SERVICES

Each year, Macomb Township works to secure a group contract for residential collection and disposal, yard waste, large bulky waste, and recycling collection and processing. Effective October 1, 2015, the Macomb Township Board of Trustees has selected Rizzo Environmental Services as the provider of choice for Macomb Township. Rizzo Services can be contacted at 866-772-8900 Monday through Friday from 7:00AM to 5:00pm for rates and information.

FACEBOOK and EMAIL

In lieu of maintaining a website, Windemere Woods Homeowners Association maintains a closed group Facebook page: [facebook.com/groups/windemerewoodsmacomb](https://www.facebook.com/groups/windemerewoodsmacomb) open to all homeowners. Our Facebook page is the ideal place to post pictures of functions, ask questions of the Board or your neighbors, or get ahold of other useful information. Please visit our Facebook page regularly. Please note, all Newsletters and community information are posted on the Facebook site, in addition to our Association By-Laws and Declarations of Easements, Covenants, and Restrictions documents.

Please send your email address to windwoodsassoc@gmail.com if you would like to be notified when updates are posted to the Facebook page.

Architectural Control

One of the benefits of a homeowners association is the ability to create and maintain a pleasing and cohesive physical appearance within the neighborhood. And, to accomplish that goal, the Windemere Woods Architectural Review committee is charged with reviewing any permanent exterior alteration or improvements. Keep in mind that each homeowner, by either accepting the Windemere Woods Homeowners Association governing documents at closing or just purchasing a residence, has unequivocally agreed to abide by the terms of these documents. They were created for your protection.

An important provision of these documents is the mechanism for ensuring that high aesthetic standards are maintained within Windemere Woods. Please keep in mind that the Architectural Review Committee Approval is required for any alteration or improvement to the exterior of your property.

Before you begin plans for any alteration or improvement, you should first consult your Declaration of Easements, Covenants, and Restrictions. This document will also give you a more detailed understanding of the architectural review process. For your benefit the Association has created an application for exterior alterations/improvements (included herein). Please contact a Board member to request an application or to receive clarification or help with the process.



If you have any questions or concerns relating to the Homeowners Association Declarations documents, please direct your question to one of the board members using the Windemere Woods email address windwoodsassoc@gmail.com or to our Management Company, Michigan Barrister Group PLLC, using email address: manager@windemerewoodshoa.com.

Architectural Review Guidelines

As a new resident, you may be thinking of making some alterations and/or improvements on the exterior of your house, or to your yard. If you are planning on doing so, right now would be the appropriate time to submit the required application, as defined by the Declarations of Easements, Covenants, and Restrictions, to the Architectural Control Committee (ACC) for consideration.

Examples of improvements that need approval are:

- Fences (privacy or decorative)
- Decks
- Retaining Walls
- Patios (Stamped Concrete, Pavers, or Poured)
- Ponds (with or without fish)
- Sheds
- Swimming Pools
- Exterior Painting (only if changing original colors)

Please note: all of the above improvements (with the exception of Exterior painting) require a permit. Copies of Township Permits must be submitted as part of your application for approval. These permits are required to ensure no building or improvement interferes or spans over an easement, unless a variance from the Township is granted. The Township monitors this and imposes financial penalties, up to and including having the Homeowner remove any such building or improvement at their own cost, if easements are sacrificed.

Obtaining Architectural Change Approval

Pursuant to the Windemere Woods Declarations of Easements, Covenants, and Restrictions, Article 2: **No building or other structure, shall be constructed, erected, or maintained on any Lot, nor shall any additions, changes, or alterations to any building or structure be made on any Lot (except interior alterations) unless and until the plans and specifications therefore shall have been submitted to and approved in writing by the Architectural Control Committee or HOA Board (if no Architectural Control Committee is represented).**

Before anyone else performs any of the following work on any Lot, the plans and specifications for the work must be reviewed and approved in writing by the ACC or HOA Board.

- Constructing, erecting, or installing any structure on the Lot, including (without limitation) the following structures: any house, garage, shed, or other building; any porch, deck, or balcony; any fence, wall, or gate; any mailbox or light post; any retaining wall, terrace, or other landscaping structure; any patio, driveway, parking slab, or sidewalk; any tennis or other sport court; and any swimming pool or pond/water garden.
- Changing the exterior color, style or materials of any structure on the Lot.
- The owner is responsible for obtaining any required building permits.
- The owner, not the Association, Board, or Review Committee, is responsible for (i) the construction standards and specifications relating to the alterations/improvements and construction work; and (ii) determining whether the



alterations/improvements violate any restrictions or requirements imposed by any governmental authority having jurisdiction over the Lot.

- **The owner shall hold harmless, indemnify, and defend the Association and its Officers, Directors, and agents from and against any expenses, claims, damages, losses, or other liabilities, including without limitation attorneys' fees and costs of litigation incurred by the Association, arising out of (i) any part of the alterations/improvements which violates any governmental law, code, ordinance, or regulation; (ii) the adequacy of the plans or specifications submitted by the owner in connection with this application; (iii) the construction of the alterations/improvements.**

Process steps to obtain approval from the Architectural Control Committee:

1. An Architectural Change Application must be completed and it all requested attachments must be delivered (by mail or email) to the address listed at the bottom of the application. The application is on the Facebook page [facebook.com/groups/windemerewoodsmacomb](https://www.facebook.com/groups/windemerewoodsmacomb) or can be obtained by contacting a Board member.
2. The Committee will meet to review the application and come to a decision based on the Windemere Woods Declaration of Easements, Covenants, and Restrictions; this Resolution; state and local ordinances; and basic design principles. The Committee will respond in writing to the applicant within 30 days from the date application is received. If the Committee fails to approve, conditionally approve, or disapprove any plans or specifications submitted, then such approval will not be required as a condition precedent to the construction, alteration, or improvement.
3. If the Application is Approved, the Homeowner may proceed with the planned change or improvement as it is approved. Any variation from the Approved plan will be considered Not Approved. Additions to, or changes to the originally submitted and approved plan must be re-submitted for approval.
4. If the Application is Conditionally-Approved, the Homeowner must either resubmit with changes/revisions prescribed by the Committee or proceed with the planned change or improvement as submitted and provide the required documents requested by the Committee, prior to the start of the work to be performed.
5. If the Application is Disapproved, pursuant to the Declaration of Easements, Covenants, and Restrictions document, "the Committee's determinations concerning the builder and plans and specifications shall be conclusive...."

The Architectural Control Committee (ACC) reserves the right to approve applications that vary from this guideline. This guideline is meant to be used as an aid, and expands on the Declarations governance. This is not intended to facilitate self approval of a Residential Improvement.

Additions to Homes: Any additions to existing homes that will alter the outside appearance will be considered with the following conditions:

- The addition must be of the same quality and design as the existing structure.
- It must conform to the design principles listed above, and be in compliance with the Declaration of Easements, Covenants, and Restrictions, city, and other ordinances and setbacks.
- It must not exceed the height restriction of no more than two stories from the grade.



Antenna: All applications for antennas or dishes will be considered in accordance with the FCC rules and regulations. The dish must be placed discreetly as to not be seen from the street.

Cars, Boats, and Trailers: Other vehicles shall be kept, stored, or parked only in enclosed garages. To summarize the article in the Declarations document, there is NO parking or storing of boats, snowmobiles, trailers, or unused vehicles outside of an enclosed garage (also not in the driveway or street) in the Windemere Woods neighborhood.

Decks, Porches, and Patios: Any decks, porches, or patios will be considered with the following conditions:

- Any deck that is screened in must have a permanent roof with shingles matching the home. If there is siding, it too must match the existing home.
- If deck is enclosed, the roof line must match that of the existing home.
- All deck colors should complement the house color.
- Any part of the deck, porch, or patio must not be higher than the roof line of the existing home.

Decorations in Front and Side Yard: In accordance with the Declarations of Easements, Covenants, and Restrictions; lawn ornaments (such as statues, birdbaths, windmills, and whirly-gigs) and lawn art (such as sculpture and statues) are prohibited from the front and side yards.

Exterior Color: Any changes to the exterior color of a structure on the Lot must be compatible with the existing colors of the Windemere Woods neighborhood.

Fencing: No chain link fencing of any kind will be permitted in the Windemere Woods Subdivision. Decorative wrought iron or wood will be considered based on the following:

- Wrought iron style fencing must be black and shall be no more than 4 feet (48") in height, unless pre-approved in writing by ACC.
- The posts on a wrought iron style fence may be either wrought iron or brick.
- Wood fences (Cedar, Redwood, Wolmanized treated, Synthetic: ie: Trex) will be permitted based on style and color.
- Wood fences shall be no more than 4 feet in height, unless pre-approved in writing by ACC.

Garbage, trash/recycle bins, receptacles, cans, bags, and garden/yard refuse: All free-standing/non-free-standing containers, bags, bins, cans, bags, materials, etc., must be stored and concealed from public view. Such containers and materials shall not be placed by roadside for collection for more than 12 hours prior to pickup and shall be removed from public view within 12 hours after pickup.

Landscaping and Gardening: Any landscaping that changes the grade of the Lot or includes a retaining wall will be considered based on the design principles set forth in this resolution. The landscaping or gardening must be compatible with the Lot and not pose any problems of erosion, lack of privacy, nuisance to neighbors, drainage, etc.

Mailboxes: Only (2) types of street side mailbox constructions are HOA authorized for usage in Windemere Woods Subdivision. Plastic-type, synthetic "Rubbermaid" mailboxes are not allowed.

- 1) the original, builder constructed cedar "wooden house" design mailbox mounted onto a 4 x 4 post.
- 2) the black, cast-aluminum metal mailbox (replacement design voted in by HOA in 2003).

Mailbox upkeep, repair, maintenance, and functionality is the responsibility of homeowner/lot owner, NOT the HOA. Costs for damages due to wood rotting, striking by vehicles (cars, delivery/contractor trucks, school buses, etc) is the responsibility of the homeowner/lot owner, NOT the HOA.



Play Structures: Play structures will be considered based on the location, style, material, and color of the structure. All play structures shall be installed in the rear or side yard, not visible from the street, and shall be no closer than 15 feet to an adjacent lot. The height of the structure must be no higher than the lowest roof line on the existing home/garage.

Storage: Any storage structure will be considered based on location and shall be of the same color as the home on the Lot. No storage structures of any kind may be in the front or side yards visible from the street. Any landscaping or plantings to block the view must be planted along at least 2 sides of the structure. Storage structures may not exceed 144 square feet in floor area.

Signs: No signs or billboards shall be placed, erected, or maintained on any Lot, except: signs that comply with municipal ordinances advertising Lots and/or homes for sale or rent. Political signs for impending elections, referenda, etc., are prohibited and are subject to removal.

Swimming Pools, Spas, and Hot Tubs: Swimming pools, spas, and hot tubs will be considered based on their size, location, and compatibility with the Lot. Any pump, filter, or mechanical devices must be away from any property lines, and must be camouflaged with landscaping, plantings, or approved structure. The mechanical components may not interfere with the neighbor's quiet enjoyment, nor be visible from the street.



WINTER SUMMARY

Clearing your Driveway:

Do not shovel, plow, or blow snow into the street. This is against STATE-STATUTE. Individuals who throw their snow into the street make it more difficult for Snowplow Service to clear the street, particularly in cul-de-sacs. It also creates ice hazards as other vehicles drive over the snow and compact it. Since the snow plow will often make several passes before completion, waiting to shovel your driveway apron until the snow plow is completed will save you from repeating the shoveling process.

Mailboxes:

Residents must clear snow from street side area in front of mailbox to permit Mail truck accessibility. If resident fails to comply, the U.S. Post Office can choose to not deliver mail to this mailbox and resident will have to pickup mail at local branch office.

Sidewalks:

Snow removal and ice control on residential sidewalks is the responsibility of the property owners residing or controlling the properties adjacent to these sidewalks as follows:

- Residents living in single-family homes are to remove snow and ice from sidewalks within 24 hours.
- Snow/ice should be piled onto yard and boulevards. Do not shovel snow into streets. This is a *STATE-STATUTE*.

Fire Hydrants:

Residents with fire hydrants on their property are required to keep hydrants clear of snow to assist the Macomb Township Fire Department with immediate emergency response. It is not necessary to clear all the way to the edge of the street, but it is important to shovel about 3 to 4 foot distance all the way around the hydrant down to the area where the fire hoses are connected.

Snow Plow Service:

Crews are dispatched immediately to de-ice/plow whenever ice or snowy conditions develop. Crews typically begin plowing when snowfall has subsided or during work week by 3 a.m. to open streets and cul-de-sacs with a single pass to provide residents access to main streets and roads, as soon as possible. After all routes are open, 2nd and 3rd passes are made to widen streets curb-to-curb. Note: although the service makes their best effort to plow the street completely, some street areas within the subdivision may get missed especially within inside corner streets and cul-de-sacs. Because our mailboxes are located very close to curb, the crews have been instructed to navigate toward street, so as not to damage mailboxes with the trucks during nighttime passes.

In the event of accidental damage to your mailbox or lawn, please take a digital photo image(s) capturing the issue. Send an email to windwoodsassoc@gmail.com or manager@windemerewoodshoa.com with a brief summary of the incident, including your name/address/

Lot #/Phone#, and attach the digital images.

Once we receive this email, we will contact you to review the incident and address it with our Contractor. If the incident is lawn related, the Contractor agreement includes provisions for curb/street side lawn damages in the Spring, including new sod patching if the area cannot be repaired satisfactorily with original sections of turf.