

EAGLE BAY HOMEOWNERS ASSOCIATION

Handbook

updated March 2017



2016

1.0 Condominium Living

Condominium living is a unique experience, quite different from owning or renting a single dwelling. If engaged in properly, and with full respect of others, it can be a particularly enjoyable experience. As in other relationships, rules, regulations and guidelines are necessary to fully define the rights and responsibilities of all parties.

To assist in making Eagle Bay living a positive and pleasant experience for all, the Board of Administrators of the Eagle Bay Homeowners Association has prepared this document. It should be read carefully and viewed as one means of helping to preserve the investment of owners and renters alike, while contributing to a positive community life at Eagle Bay.

2.0 Responsibilities

- 2.1 Owners: All owners are responsible for adhering to the rules and regulations as defined in this document and in the Bylaws of the Eagle Bay Homeowners Association. (See Appendix A) Owners are also responsible for the conduct of their families, guests and renters.
- 2.2 Absentee Owners: Absentee owners have the additional responsibility of being certain that all the rules and regulations are followed, on their behalf, by those to whom they have delegated authority and responsibility including family, guests, rental agents and renters.
- 2.3 Renters: By signing a rental agreement and accepting the keys to a unit, each renter assumes responsibility for adhering to the rules and regulations of the Eagle Bay Homeowners Association as they apply to renters. In general, all rules and regulations pertaining to personal conduct and respect for others and their property apply to renters also.

3.0 Rules and Regulations

3.1 Exterior

- Alteration: Approval by the Board of Administrators is required prior to any physical modification of the exterior of the building, including its appearance.
- Satellite Dishes: The installation and use of satellite signal receiving dishes must be individually approved by the Board of Administrators.

- *Deck Covers and Screens:* The color, design, and materials to be used in the installation of "ceilings" and/or screens on decks must be approved by the Board of Administrators prior to installation. The owner assumes all responsibility for the installation and for damage including future damage installation may cause.
- *Fires/Fireworks/Firearms:* Open fires, including those in charcoal-fired grills, and decorative and mosquito repellent torches are strictly prohibited on decks. Charcoal grills are prohibited and will be removed. (Electric and gas grills are permitted.) Fireworks are not to be used on or near the buildings. The discharge of firearms is strictly prohibited on Eagle Bay property.
- *Fire Extinguishers:* Owners of units are responsible for mounting one operable fire extinguisher in or near the kitchen and a second extinguisher on the rear deck. Units not so equipped will be charged for installation of two fire extinguishers as referenced.
- *Landscape/Foliage:* Care should be taken not to alter or damage the landscape or vegetation. Flowers and other foliage are not to be removed or installed without approval of the Board of Administrators.
- *Decoration/Signs:* Signs and other decorative materials are not to be affixed to buildings or surrounding property without authorization by the Board of Administrators.
- *Front Decks:* Personal belongings (e.g. brooms, shovels, mops, boots, swim wear, towels, etc.) are not to be left on the front decks at any time.
- *Rear Decks:* No items or liquids are to be thrown or dumped from any deck at any time. Spills are to be attended to immediately so as to respect those on lower decks.
- *Damage:* The cost of any damage in excess of normal wear and tear is the responsibility of the person or persons causing the damage. Repair is only to be made following consultation with the Board of Administrators. Repairs not attended to properly will be made by the Board of Administrators with the unit owner being billed accordingly.
- *Windows:* In keeping with the desire for an attractive appearance, sheets, blankets, aluminum foil or similar window coverings in view from the outside are not to be used. All window coverings should be white, off-white or cream colored as seen from the outside.

- *Lighting:* Maintenance of lighting on the front decks is the responsibility of the Managing Agent. The type of bulb for the back deck is the owner's choice. Replacement is the owner's responsibility.

3.2 Interior

- *Maintenance:* Cleaning, painting, and all maintenance, including maintenance of appliances, heating, cooling, water heating equipment and furnishings are the responsibility of the owner.
- *Temperature Control:* When departing a unit during warm weather, the air conditioning is to be set at "Automatic" and 80 degrees F; in cold weather, the furnace is to be set at "Automatic" and 60 degrees F.
- *Flammable Liquids:* Flammable liquids are prohibited in units and on decks.
- *Appliance/Heating/Cooling Breakdowns, etc.:* See telephone numbers, page 8, for assistance.

3.3 Trash and Garbage: All trash and garbage is to be placed in plastic bags, and deposited in the dumpster provided. None is to be left in bags on front or back decks, even for short periods of time. All trash and garbage is to be removed from the unit and deposited in the dumpster upon vacating the unit.

3.4 Parking:

- *Vehicles:* Parking is permitted in designated areas only. Parking is prohibited in front of entrances, in places reserved for permanent residents, and on the grass.

Any owner of an Eagle Bay Condominium unit shall be entitled to one designated parking space for one vehicle in the lower parking area provided the condominium is occupied by an owner or is occupied by a renter for at least six consecutive months during the calendar year. The Eagle Bay Managing Agent (see Appendix C) should be contacted for arrangements.

- *Boats, Campers, etc.:* Boats, campers, and trailers are not permitted on Eagle Bay property. Arrangements can be made at the Clubhouse, with a rental agent, or with an off-site parking provider.

- 3.5 Guests: Owners and renters are responsible for the conduct of their guests. In general, guests enjoy the same privileges and assume the same obligations to abide by Eagle Bay rules and regulations as do owners and renters.
- 3.6 Children: Adult supervision is required at all times. Owners, renters, their families and guests are responsible for the conduct of children occupying the same unit.
- 3.7 Pets: Only pets of owners are permitted on Eagle Bay property. Renter's pets are not permitted in or on Eagle Bay property. Pets are to be restrained (i.e., kept on a leash or kept inside) and are not to interfere in any way (e.g. noise, odors, etc.) with the activities and enjoyment of others. Pet excrement in public places, including grass areas, is prohibited.
- 3.8 Noise: Noise that will disturb or annoy other Eagle Bay residents is strictly prohibited. Care and respect should be exercised as some "noises" (e.g. windchimes) which may be acceptable to some are bothersome to others. Excessive "party noise" will not be tolerated. Special care is to be exercised when hosting social events and operating sound systems. Normal sleeping hours are to be respected. (11:00pm - 7:00am)
- 3.9 Disturbances: No obnoxious or offensive activity is permitted. Shouting, jumping, running across floors and on decks and other activities that are likely to cause disturbances for those in surrounding units are not acceptable.
- 3.10 Unusual Events, Situations, Behavior: Residents observing activities inconsistent with normally accepted social behavior and Eagle Bay rules and regulations should contact Eagle Pointe Security immediately. (See Telephone Numbers - Emergency, page 8.)
- 3.11 Pool: Only Eagle Bay owners, their families and guests, and renters and their guests may use the pool and its facilities. All will swim at their own risk. The Eagle Bay Homeowners Association is not responsible for personal injury or other accidents.
- *Rules*: Posted pool rules are to be carefully followed.
 - *Attire*: Proper attire is required at all times.
 - *Misconduct*: Any conduct inconsistent with pool regulations or generally accepted social behavior is forbidden. If it is observed, it is to be reported immediately to Eagle Pointe Security. (See Telephone Numbers - Emergency, page 8.)
 - *Children*: Children must always be accompanied by responsible adults when they are in the pool.

- *Pets:* State law prohibits pets in the pool area.
- *Security:* The entrance gate to the pool is to be locked at all times, even when the pool is in use. Each owner or renter is issued a key. A charge will be assessed for lost keys.

3.12 Tennis Courts: Only Eagle Bay owners, their families and guests, and renters and their guests may use the tennis courts. All will play at their own risk. The Eagle Bay Homeowners Association is not responsible for personal injury or other accidents.

- *Shoes:* White-soled shoes only are permitted on the courts.
- *Other Activities:* No other activity other than tennis is permitted on the courts.
- *Time Limits:* Play time is limited to one hour for singles and one-and-one-half hours for doubles when others are waiting to use the courts.

3.13 Pool, Tennis and Golf Access: Access to other Eagle Pointe community pools and tennis courts is not available. Members of the Eagle Pointe Golf and Tennis Club have access to the Club facilities. Renters may be advised by their rental agencies about access to the Club facilities.

3.14 Safety: All residents are, at all times, responsible for contributing to the safety of Eagle Bay facilities and occupants.

3.15 Storage: Proper storage of all items is required to assure personal safety and the attractiveness of Eagle Bay property.

Firewood: Firewood may only be stored on the rear decks and not in excess of one rick. It should be placed on a raised platform or rack above the deck surface to prevent rotting of the deck.

Personal Belongings: Items such as bicycles, carriages, toys, and other personal belongings are to be stored properly (e.g. on rear decks) and not on front decks or the parking area.

Boats, Campers, etc.: See Parking/Boats, Campers etc., page 3.

3.16 Rental Units: Some owners have elected to make their units available to others through rental programs. It is the owner's responsibility to make Eagle Bay Rules and Regulations available to their renters through their rental agent.

3.17 Responsibilities/Renters: Renters are to follow all Eagle Bay rules and regulations pertaining to responsibility, safety, trash removal, fires, parking, children, pool and tennis court use, noise, storage, and behavior.

Pets: Renter's pets are not permitted in or on Eagle Bay property.

Occupancy: Maximum occupancy of rental units is limited to two persons per bedroom.

Use of Units: Rental units may not be used for large parties, as a place of business, for conducting business meetings, or for other large gatherings, or for any non-residential purpose. (This prohibition does not include small social gatherings during appropriate hours, but does include any gathering of excessive size or having a "non-residential" purpose.)

Damage: Owners will be responsible for any damage to Eagle Bay property caused by renters. A charge will be assessed for any damage to Eagle Bay common property in excess of normal wear and tear.

Thermostat Setting/Trash Removal: Renters are to make appropriate thermostat adjustments (See Interior/Temperature Control, page 3) and to remove trash upon vacating a unit.

4.0 **Fiscal Responsibility**

4.1 Eagle Bay Homeowners Association: Dues are billed quarterly (January, April, July, October) and are due fifteen days following the beginning of each calendar quarter.

4.2 Pointe Services Association (PSA): PSA fees are billed quarterly and are due ten days following the beginning of each calendar quarter.

4.3 Accounts Payable: All accounts are payable when due. The Eagle Bay Homeowners Association Board of Administrators is authorized by the Bylaws to take whatever legal action is required to collect overdue fees and to recover all related (including legal) expenses.

4.4 Collection of Overdue Assessments: Thirty days after the unpaid balance for any quarter is due, the homeowner will be notified by registered mail that the account is delinquent. A late fee of \$25 for each thirty days of delinquency will be added to the amount due. Non-payment of the delinquency will result in the placement of a mechanic's lien upon the unit in the amount of the assessment for the entire year within thirty days of the postmark date of the notice. This action will be taken without further notice to the homeowner if the balance of any subsequent installment remains unpaid for more than thirty days.

Bylaws: Relevant References

The following Bylaw citations have been paraphrased for easy reference.

1. The annual Association meeting will be set for a date and time named by the Board of Administrators. (Article II; Section 3)
2. Special meetings of the Association may be called at any time by the Board of Administrators or upon written request of not less than 40% of the unit owners. (Article II; Section 6)
3. A responsibility of the Board of Administrators is the operation, care, upkeep and maintenance of the common areas and facilities. (Article III; Section 8)
4. If interior repair is necessary due to inaction by an owner, the Board of Administrators may have repairs made at the owner's expense. (Article III; Section 8)
5. ~~Special Assessments~~ may be levied by the Board of Administrators against individual owners in appropriate circumstances. (Article VI; Section 3)
6. The Board of Administrators has the authority to establish budgets, collect fees, and deal with defaults. (Article III; Section 8 and Article VI; Section 5)
7. The Board of Administrators has the responsibility to establish reasonable rules and regulations of the Association. (Article III; Section 8)
8. The Board of Administrators has responsibility and authority to enter a unit in connection with construction or maintenance for which the Board is responsible. (Article III; Section 8)
9. The Board of Administrators has the authority to retain an entrance key for each unit. (Article III; Section 8)
10. Maintenance and repair of condominium interiors and/or damages to any other units caused by any owner, owner's family, guests, agents, renters, employees, or contractors are the responsibility of the owner. (Article VI; Section 10)
11. The Board of Administrators may contract with a managing agent. (Article III; Section 9)

Maintenance and Replacement Responsibility

ITEM	HOMEOWNER	HOA
Air Conditioner	X	
Furnance	X	
Common Bldg. Door Locks		X
Chimney		
Cap		X
Inside screen	X	
Flashing/Leaks		X
Flue Cleaning	X	
Siding/Masonry		X
Roofing over Deck Cleaning		X
Materials	X	
Vent stacks - exterior		X
Roof Vents		X
Gable Vents		X
Gutters		X
Downspouts		X
Exterior Siding		X
Windows:		
Broken glass/Seal	X	
Frame		X
Screens	X	
Cauking(exterior)		X
Washing	X	
Front Doors:		
Repair	X	
Replace(1 X per Unit)		X
Paint (between cycles)	X	
Paint (during cycles)		X
Door Knobs/Locks	X	
Door Jamb/Frame		X
Storm Doors	X	
Storage Closet	X	
Dryer vents		
Caps/Vents in crawl space		X
Vents and screens	X	
Bird Nest Removal	X	
Exterior Light Fixtures and Bulbs		X
Rear Deck Not on photo cells	X	
Mail Box		Post Office
Front Deck		X
Foundation		X
Sidewalks		X

ITEM	HOMEOWNER	HOA
Rear Deck Doors		
Repair/Replace	X	
Paint (between cycles)	X	
Paint (during cycles))		X
Broken Glass/Seal	X	
Cauking		X
Washing	X	
Locks	X	
Sewer Stoppage		
Within Unit	X	
Outside Unit		x
Sewer/plumbing repair inside	X	
" " " outside		X
Rear Decks		
Painting/staining between cycles	X	
" " during cycles		X
Waterproofing	X	
Floor replacement	X	
Water Supply		
Unit Meter		SMWA
From water supply to meter		X
From meter to inside unit		X
Electrical Supply		
Transformer to meter		Duke Energy
Meter to Breaker Box		X
Interior Loss	X	
Pest Control		
Interior	X	
Outside		X
Termites		X
Damage to Bldgs/Common grounds due to neglect from owners or their tenants/guests	X	

Reminder : Unit owners are responsible for tenants

Eagle Bay Personnel Contacts

Managing Agent	Teresa McGeary 9567 Lake Ridge Drive Bloomington, IN 47401	Ph 812-812-824-4413 ttolbbert11@yahoo.com	Cell 812-278-4225
Maintenance	Norvin Jones, T & J Construction 85 N. Sandstone Rd Williams, IN 47470	Ph 812-247-2703	Cell 812-583-9545 MikeSears Ph 812-322-2984 Cell 812-337-7438
Security	Ph 812-824-8940		
Eagle Bay II	Alan Hohn 1810Eagle Bay Drive Bloomington, IN 47402	Cell 812-617-2001	
Direct TV	Adam Good Cell 812-335-1770	Direct TV 1-800-347-3288	1-800-531-5000
Outdoor Improvements	Becky	Cell 812-326-1997	
Electric	Duke Energy	Ph 1-800-521-2232	
Accountant	Larry Leinenbach 4 30th St. Court Terre Haute, IN 47803	Ph 812-232-0536	Cell 812-243-7238 email: LLeinbach@ma.rr.com
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