

WHISPERING HILLS PROPERTY OWNERS ASSOCIATION, INC. CONDITIONS, COVENANTS AND RESTRICTIONS

Property owners within the Whispering Hills Subdivision are subject to the following conditions, covenants, and restrictions:

1. Residential Use: The property shall be used exclusively for single-family residential purposes. No commercial or business enterprise generating regular public traffic or nuisances may be operated from any lot. *(Optional addition: Explicitly state whether short-term rentals under 30 days are permitted or prohibited).*

2. Temporary Structures: No trailers, shacks, tents, mobile homes, modular homes, unattached garages, temporary structures, or outbuildings shall at any time be used as a residence, temporarily or permanently.

3. Incidental Buildings: Only buildings and structures incidental to residential use (such as detached workshops or pool houses, subject to architectural approval) shall be constructed on the property.

4. Garages and Storage: All garages and storage buildings shall be structurally compatible and harmonious with the primary dwelling. Detached outbuildings must be approved in writing by the Association Board or its Architectural Control Committee prior to construction.

5. Square Footage: The livable area of the dwelling, exclusive of breezeways, basements, porches, or garages, shall be not less than 1,500 square feet.

6. Setbacks: No building shall be less than 25 feet from the front property line, or nearer than 5 feet to the rear or side property lines, unless a variance is granted in writing by the Association Board.

7. Nuisances: No offensive or illegal trade or activity, noxious odor, excessive noise, or other activity which may become an annoyance or nuisance to the neighborhood shall be permitted on any premises.

8. Pets and Animals: No poultry, birds, livestock, or animals of any kind other than customary household pets shall be kept or maintained on any part of the property, and then only as long as they are not kept, bred, or maintained for commercial purposes.

9. Fencing: Household pets must be kept within the residence or confined by acceptable fencing.

- **Approved Fencing:** (a) Chain link, (b) solid board privacy fencing, or (c) decorative wrought iron/metal.

- **Prohibited Fencing:** (a) Hog wire, (b) woven wire, (c) chicken wire, or (d) barbed wire. All fences require prior written approval from the Association Board.

10. Storage of Materials: Resident premises shall not be used for the open storage of building materials, machinery, unlicensed/inoperable vehicles, or equipment, except during active construction of a permitted structure.

11. Trash and Refuse: Trash, recycling, and refuse must be kept in secure, closed containers and stored out of sight except on designated collection days.

12. Lot Maintenance: Lots must be kept clean, neat, and regularly mowed by the owner. The Association reserves the right to remediate neglected lots and assess the costs to the owner.

13. Easements: Easements and rights-of-way are reserved for the installation, construction, and maintenance of utilities, drainage, and roads.

14. Architectural Control: Prior to beginning construction, exterior remodeling, or placement of any dwelling or major structure, complete plans and specifications must be submitted for approval to the **Whispering Hills Property Owners Association Board of Directors** or its designated Architectural Committee.

15. Construction Timeline: Completion of the exterior construction of any residential dwelling shall not exceed twelve (12) months, and total completion shall not exceed eighteen (18) months, commencing from the date ground is broken for the foundation. *(Expanded from 6 to 12-18 months to account for modern supply chain and contractor realities).*

16. Water System Buy-In: The purchaser of property within the subdivision will pay Seven Hundred Fifty Dollars (\$750.00) for an initial share/hook-in fee for the community water system.

17. Annual Assessment & Adjustments: The annual fee for the operation, maintenance, compliance, and repair of the community water system, roads, and common grounds shall be **Seven Hundred Twenty Dollars (\$720.00)**. This annual assessment may be adjusted upward or downward by the Association Board of Directors as needed to meet operating costs, subject to any voting thresholds required by the Association's Bylaws.

18. Operating Accounts & Financial Management: All annual fees and assessments collected by the Association shall be deposited in FDIC-insured accounts at a financial institution selected by the Board of Directors. Funds shall be authorized for disbursement to cover operational expenses, electricity for the water system/common grounds, repairs, maintenance, and reserve funds.

19. Special Assessments & Enforcement: If operating and reserve funds are insufficient to pay for necessary repairs, maintenance, or regulatory compliance, the Association Board may levy a proportional special assessment on each user or lot. **Annual and special assessments shall remain a lien on the property until paid. The Association may charge late fees, interest, and legal costs and may file a formal lien or pursue legal action to collect delinquent assessments.**