

The logo features a stylized, wavy line representing a river. The top portion of the line is green, and the bottom portion is dark blue. The line starts at the top left, curves to the right, then loops back to the left, and finally curves to the right again, ending in a small, pointed shape.

WINDING RIVER
Plantation

RULES AND REGULATIONS REFERENCE GUIDE

EFFECTIVE JUNE 7, 2019

INTENT AND SCOPE OF THIS REFERENCE GUIDE

This reference guide has been prepared by the Winding River Plantation Community Association (WRPCA) Covenants Committee and has been approved by the WRPCA Board of Directors.

The guide is intended to help familiarize owners and residents of Winding River Plantation (homes and lots) with the responsibilities and restrictions in Winding River Plantation. It is a condensation of those articles of the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Winding River Plantation (CC&R's), adopted 10/02/2018, addressing owner responsibilities and restrictions and is structured for ease of reference using simplified language to promote understanding.

References to relevant articles of the CC&R's and in some cases to pertinent areas of other governing documents are provided across the sections; however, the information contained in this reference guide is in no way intended to be completely comprehensive of every responsibility and restriction attendant to property ownership. The responsibilities and restrictions may be further delineated in other Association document such as those listed below under "WRPCA Resources."

As questions and concerns about certain owner responsibilities and restrictions have arisen the Board of Directors has addressed them, in some cases amplifying the CC&R's by setting policy from which some of the content of this document is derived. Notwithstanding, the CC&R's is and shall remain the controlling and ruling document in the event of any omissions in this reference guide, or any discrepancies between it and the CC&R's. The complete CC&R's are available on the WRPCA website (www.windingriverplantation.com) by clicking on "Documents."

WRPCA RESOURCES

For further information, please refer to these documents available on the WRPCA website:

ARB Design Requirements and Guidelines (ARB/MC)
Community-Wide Standard for Home and Associated Infrastructure Maintenance
Community-Wide Standard for Landscape Maintenance
Compliance Enforcement Process
Corral Rules and Regulations
Marina Rules and Regulations
River House Rules and Regulations
Winding River POC Catering Kitchen Rules
Winding River POC Facility Rental Rules
Winding River POC Fitness Center Rules
Winding River Property Owners Complex (POC) General Rules
Winding River POC Pool Rules
Winding River POC Tennis, Bocce and Pickleball Rules
Winding River/Seaside Rules for Beach House & Pool

APPLICABLE FEDERAL, STATE AND COUNTY REGULATIONS

Winding River property owners should be familiar with applicable United States, North Carolina and Brunswick County regulations.

The following websites can help in this regard:

United States

US Code, Main Page: www.gpoaccess.gov/uscode/index.html

North Carolina

General Statutes: www.ncga.state.nc.us/gascripts/statutes/statutes.asp

General Assembly: www.ncga.state.nc.us

Brunswick County

Homepage: www.brunswickcountyNC.gov

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A. AMENITY ACCESS

(CC&R's Article 2.01)

WRPCA amenities are for the exclusive use of owners, owners' tenants (person(s) leasing their unit), and owners' or tenants' family members, regardless of where the family members otherwise reside. All others must be accompanied to the amenities by the actual legal owner(s) or tenant(s) of the unit.

Some amenities are restricted by use of an access control device. To obtain an access control device please contact the Property Management Office. Two devices per property are permitted.

Owners who lease their units shall be deemed to have assigned all their rights of use and enjoyment of the common areas to the lessees of that unit, and the Owners will not be allowed to use the community amenities while the lease is in effect (Also see Section M).

Additional rules may apply for the individual amenities; please refer to their specific rules posted on the WRPCA website.

B. ANIMALS AND PETS

(CC&R's Article 10.07)

Only dogs, cats or other usual and common household pets are permitted.

All pets, including dogs and cats, shall be controlled by the owner whenever outside the unit. Dogs shall be on leashes when they are on common properties.

Pet owners are responsible for all actions of their pets. This includes cleaning up after their pets when the pets have been in the common areas. Pet waste may not be placed in public waste containers, streams, swales or catch basins.

Pets are not permitted on the golf course, in any pond, or within any Amenity.

Owners must insure pets do not become a nuisance by barking or other acts. If, in the sole opinion of the Board, an animal becomes dangerous or a nuisance in the Community or to nearby property or destructive of wildlife, it may be removed from the Community.

C. ARCHITECTURAL AND LANDSCAPE APPROVAL

(CC&R's Articles 9.01, 9.02)

The Architectural Review Board (ARB) must review and approve all applications for new construction and subsequent design changes.

Once the Unit is built the Modifications Committee (MC) must review and approve all exterior modifications, additions or alterations made to existing structures and landscaping including removal of trees of a specific size (refer to Section T).

D. COVENANTS COMMITTEE DISPUTE RESOLUTION

(CC&R's Articles 4.03,14.03 and By-Laws Article 7.3)

The Covenants Committee is compromised of three to seven Winding River Plantation property owners appointed by the Board of Directors. The committee assists the Community Manager in educating owners of the WRPCA's compliance enforcement process and of the responsibilities and restrictions set forth in the protective covenants.

The Covenants Committee conducts hearings for violations which have not been corrected within the prescribed time or that are ongoing. Hearing results are provided to the owner in writing, generally within two (2) business days.

E. COMBUSTIBLE LIQUID

(CC&R's Article 10.18)

The storage of gasoline, propane, heating or other fuels is not permitted, other than a reasonable amount that may be stored in appropriate containers and used strictly for emergency purposes and the operation of lawn mowers and similar tools or equipment, except as approved by the ARB.

F. DRAINAGE AND GRADING

(CC&R's Article 10.12)

Installation of any pipe, fill in or altering of any swale used and/or permitted through the Association's North Carolina Stormwater Management Permits is not allowed. Obstructions or debris shall not be placed in these areas. Owners or occupants may not obstruct or re-channel the drainage flows after the location and installation of drainage swales, storm sewers or storm drains.

Stormwater may not be directed onto neighboring properties or into the street.

Any alteration to the grading of any Unit requires prior approval by the ARB.

Each Unit must preserve the Impervious Structure Requirement as set forth in Exhibit B of the CC&R's.

G. EXTERIOR LIGHTING

(CC&R's Article 10.11(a))

The following are the only exterior lighting permitted (visible from the street):

1. Lighting approved by the ARB or the MC (see Design Requirements and Guidelines 5.Z ("Lighting")).
2. Seasonal decorative lights only during the holiday season.

STRUCTURES

(CC&R's Article 10.09)

No exterior structures shall be allowed on any property unless approved by the ARB for new home construction or the MC for existing homes. This includes, but is not limited to:

1. Artificial vegetation
2. Basketball stands/hoops, swing sets/play structures, trampolines and other sports equipment
3. Hedges, walls, animal pens, or fences of any kind
4. Sculptures
5. Seawalls, bulkheads or piers
6. Swimming pools, hot tubs
7. Trash receptacles
8. Wells
9. Wood piles

Please reference the "ARB Design Requirements and Guidelines" 5.A through 5.OO for additional use restrictions/prohibitions related to the above-cited and other home exterior "preferences" such as: satellite dishes; detached garages; storage sheds; gazebos;; LP gas tanks; transformers; junction boxes; meters; antennas; awnings; balconies; birdhouses; docks and lifts; outdoor fireplaces; driveways; clotheslines; doghouses and dog runs; lighting; mailboxes; patios; terraces; decks; porches/sunrooms; heating/air conditioning units; signs; statues; sculptures; 'yard art'; windows.

H. GARAGE/ MOVING SALES

(CC&R's Article 10.03)

Any garage sale or moving sale must have prior written approval of the Board of Directors and must be held inside the garage or house. No signs may be displayed within Winding River advertising the sale.

I. GOLF COURSE AREAS

(CC&R's Articles 4.11, 10.24)

Owners of property adjacent to any part of the Carolina National Golf Course, as well as their families, tenants, guests, invitees and pets shall be obligated to refrain from any actions which would distract from the playing qualities of the Course. Prohibited activities include, but are not limited to:

1. Loud barking of dogs.
2. Allowing dogs or other pets on golf course property.
3. Playing of loud radios, televisions, stereos or musical instruments.
4. Running, bicycling, skateboarding, walking or trespassing in any way on the golf course property, including picking up or "hawking" golf balls or similar interference with play.
5. Using or otherwise changing the landscape of golf course land without the prior approval of the Carolina National Golf Course.

6. Using any portion of the golf cart path system, whether or not situated to any extent on Winding River Plantation common property, without the prior approval of the Carolina National Golf Course.

Each owner acknowledges and agrees that owning property adjacent to any part of the Carolina National Golf Course has benefits as well as detriments. Detriments include:

1. Risk of damage to property from golf balls hit onto the property.
2. Risk of injury to persons and animals from golf balls hit onto the property.
3. Entry by golfers onto the property to retrieve golf balls.
4. Overspray from golf course watering systems.
5. Noise from golf course maintenance activities and equipment.
6. Odors arising from irrigation and fertilization of golf course turf.
7. Disturbance and loss of privacy from golf carts and golfers.
8. Application of pesticides and chemicals throughout the year.
9. Use of reclaimed water, treated waste water or other sources of non-potable water for irrigation.

J. FIREARMS

(CC&R's Article 10.17)

The discharge of firearms within Winding River Plantation is prohibited. This includes, without limitation, "BB" guns, pellet guns and firearms of all types.

Firearms are not permitted inside the Beach Club, Fitness Center, Property Owners' Clubhouse (POC) and River House.

K. IRRIGATION SYSTEMS AND WELLS

(CC&R's Article 10.22)

Owners must obtain written approval from the ARB or MC prior to installing wells or sprinkler or irrigation systems on their properties.

All homes built after January 31, 2013 are required to have an irrigation system installed.

L. LAKES, PONDS AND STREAMS

(CC&R's Articles 10.10, 10.21)

Streams running across any property may not be dammed, impounded, diverted or used for any purpose without prior written consent of the Board.

Drawing or pumping water from any lake, pond or stream within Winding River Plantation is not permitted.

Fishing is permitted for owners of a lot that abuts any lake, pond or stream owned by the Association and, also for all other WRPCA property owners if such lakes ponds or streams are accessible from a common area.

Fishing is not permitted in any lake, pond or stream adjacent to the golf course.

Swimming, boating and other uses are prohibited.

M. LEASING

(CC&R's Articles 2.01, 10.06)

Units may be leased for residential purposes only.

Owners (or their agent) shall provide tenants a copy of the Declaration, and leases must require tenant compliance. Property owners are ultimately responsible for ensuring that their tenants abide by the Declaration.

Owners who lease their units for 2 weeks or longer must file a copy of the lease with the Property Management Office.

Owners who lease their units shall be deemed to have assigned all rights of use and enjoyment of common areas that convey with the title to their units to the lessee of such units, and they will not be allowed to use community amenities while the lease is in effect.

N. MAILBOXES

(CC&R's Article 10.14)

All mailboxes, including newspaper slots, support structures and numbering must be uniform as determined by the ARB. Refer to Design Requirements and Guidelines 5.AA ("Mailboxes") for additional information. (The Association has the right to remove an unapproved mailbox at the owner's cost.

The approved vendor for supplying new and replacement mailboxes, newspaper slots, support structures and numbering is SignSource (910) 392-2290 (<http://WindingRiverConcierge.com>)

Mailboxes and posts must be kept clean and free from rust and/or peeling paint.

O. MOTOR VEHICLES

(CC&R's Article 10.05)

All drivers must observe North Carolina State traffic statutes when operating a motor vehicle inside the Winding River Plantation community, including speed limits and other traffic signs. All vehicles operating on Winding River roads and properties must be "street legal"; that is, licensed in accordance with North Carolina law.

SPEED LIMIT

The speed limit on WRPCA owned roads is 25 MILES PER HOUR.

PARKING

Cars and non-commercial trucks and vans must be parked in garages or driveways unless otherwise approved by the ARB or unless otherwise parked in strict adherence to the following rules:

1. On-street parking on private roads within Winding River Plantation is permitted with the following stipulations: no overnight parking (1:00 AM until 6:00 AM); no parking within 25 feet of all gates; parking on one side of the street only to allow smooth traffic flow on narrow streets, especially for emergency vehicles; no blocking of driveways or mailboxes; parking must be as close to the curb (all wheels on hard surface only) as possible.
2. Overnight parking in amenity parking lots is not permitted.
3. Parking on vacant lots is only permitted during periods of construction activity on those lots. A lot adjacent to a construction site may be parked on and may be used to access the lot upon which there is construction activity with prior written permission on file from an adjacent lot owner.
4. Any unlicensed or inoperable vehicle must be parked in a garage, or it can be declared a nuisance and removed from Winding River Plantation property.
5. No motorized vehicles are allowed on pathways and unpaved common areas.
6. Owners' recreational vehicles (boats, mobile homes, motor homes, trailers and other towed vehicles, as well as buses, campers, go-carts, golf carts, mini bikes, motorcycles, and scooters) must be parked in garages, or on any ARB approved hard-surfaced areas not visible from the street or the golf course, or in certain Association designated parking areas subject to those areas' rules and regulations and fees, as applicable.
7. One recreational vehicle may be parked in the owner's driveway under the following circumstances:
 - a. Owner must notify the Property Management Office of the dates the recreational vehicle will be parked in the owner's driveway.
 - i. A guest's recreational vehicle may be parked in the property owner's driveway for up to seven (7) days twice per year.
 - ii. An owner's recreational vehicle may be parked on their driveway no more than three (3) consecutive days (two nights) but not more often than twice per month strictly for the purpose of loading or unloading or performing maintenance.
8. For unregistered and/or improperly parked recreational vehicles, the property owner will be subject to enforcement action. After two days, illegally parked recreational vehicles may be declared a nuisance and removed from Winding River Plantation property.
9. A truck with mounted camper used as an owner's primary means of transportation is not considered a recreational vehicle if it is stored out of public view.
10. Owners' commercial trucks and vans must be parked in garages.

P. NUISANCE

(CC&R's Articles 5.02, 10.08)

Property owners and occupants must prevent the development of any unclean, unhealthy, unsightly or unkempt condition on their property (Also see Section S.).

1. Owners may not store anything on their property that causes the property to appear unclean or untidy or obnoxious to the eye.
2. No substance, material or thing may be kept that will emit foul or noxious odors or that will cause any condition that might disturb the peace, quiet, safety, comfort or serenity of the occupants of surrounding property.
3. No obnoxious or offensive activity shall be carried on within Winding River Plantation that may cause embarrassment, discomfort, annoyance or become a nuisance to anyone therein.
4. Only sound devices for security purposes or sound devices approved by the ARB or required by law are permitted to be located on the exterior of any property.

Q. OWNER ASSESSMENT PAYMENT RESPONSIBILITIES

(CC&R's Article 8.01, 8.07)

Owners must pay their property owners' assessments ("dues") and any special assessment or specific assessment levied by their due date. Any assessment not paid by their due date shall incur a late charge of \$20 charged monthly until the account is brought current.

Possible additional penalties for delinquent assessment payment include loss of amenity use, loss of voting rights, imposition of collection fees, filing of a lien against the property, filing a lawsuit against the property owner(s), and/or foreclosure of the property.

R. OWNER MAINTENANCE RESPONSIBILITIES

(CC&R's Articles 5.02, 8.06, 10.9)

1. Owners must maintain their units (homes and lots) according to their plans as approved by the ARB and/or the MC and according to the Community-Wide Standard as defined in Article 1.11 of the CC&R's. In the event of damage or destruction of the unit, the Owner shall proceed promptly to repair or to reconstruct in a manner consistent with the approved design including modifications.
2. Owners must maintain their improved and unimproved lots as defined in the "Community-Wide Standard for Landscape Maintenance" document.
3. The exterior of all homes shall be kept clean and maintained in good condition by, but not limited to, such actions as pressure washing and painting.
4. Exterior structures such as, but not limited to: decks, downspouts, driveways, fences, gutters, mailboxes, railings, and roofs should be kept clean and in good repair.
5. All repairs and maintenance shall be completed in a timely fashion.

6. If an Owner does not fulfill their maintenance responsibility, after receiving written notice from the Association, the Association may perform such maintenance and assess all costs incurred against the Unit and Owner.

Please refer to the "Community-Wide Standard for Home and Associated Infrastructure Maintenance" document.

S. SATELLITE DISHES

(ARB Design Requirements 5.LL)

Satellite dishes shall be less than 39" in diameter and installed on the property in the least visible location from the street and from adjacent properties. Ground placed dishes should also be screened with foliage to minimize the visual impact. (Line of sight exceptions will be considered) Roof mounted exterior dishes may not exceed 12" above the nearest roof line.

T. TREE REMOVAL

(CC&R's Article 10.11 (a))

Tree Removal (Non-Wetlands Area): The ARB or the MC must pre-approve, in writing, the removal of all trees more than 6 inches in diameter at a point 4 feet above the ground.

EXCEPTION: The removal of the above-referenced trees that meet either of the two conditions listed below does not require written pre-approval from the ARB or the MC; however, under either of those two conditions, the ARB or the MC does require that owners provide written notification of their 'intent to remove' no less than 5 business days in advance of the scheduled removal. This notification to the ARB or the MC should detail which tree(s) will be removed and the reason for their removal.

Condition 1: Any tree located within 10 feet of any part of a residence (measured from the roof drip line), a drainage area or a driveway

Condition 2: Any tree which is diseased, dying or dead

Tree Removal (Wetlands Area): If the tree or trees stand in a designated wetlands ("404") area, refer to Design Requirements and Guidelines 5.NN ("Wetlands (404)") for removal allowances and restrictions.

U. SECURITY

(CC&R's Article 4.09)

The Association may, but shall not be obligated to, maintain or support certain activities (gates, community patrols) within the Community designed to make the Community safer than it otherwise might be.

The Association is not considered an insurer or guarantor of security, nor can the Association be held liable for any loss or damage because of a failure or ineffectiveness of any security measures.

V. SIGNAGE

(CC&R's Article 10.04, ARB Design Guidelines 5.GG)

Except as described below, no sign of any kind shall be displayed by an owner or occupant on any building, property owners' amenity, improved or unimproved lot or common area without the prior written consent of the ARB, as applicable.

Signs shall not be nailed to any trees.

The following signs are permitted:

1. Such signs as may be required by legal proceedings.
2. Home Security System Sign: One (1) small professional sign indicating the presence of a home security system.
3. House Numbering Sign: One (1) sign identifying the name of the owner or occupant of the property and/or its street numbers.
4. Political Signs: Signs may not exceed 24" by 24" in size and must be placed on the owner's lot no more than 45 days before the day of the election and must be removed no later than 7 days after Election Day. Political signs may not be placed in any common area, right-of-way or easement.
5. Seaside "For Sale" "For Rent" Signs: One professionally lettered sign placed in the front yard to advertise the property for sale or rent. Sign must conform to ARB Design Requirements and Guidelines Appendix H.
6. Seaside House Naming Sign: One (1) personalized house naming sign may be approved by the ARB/MOD on a case by case basis.

W. SIGHT DISTANCE AT INTERSECTIONS

(CC&R's Article 10.13)

Anything which obstructs visibility between 2 feet and 6 feet above the roadway will not be allowed within 25 feet of a road intersection and 10 feet of a driveway and road intersection. This includes, but is not restricted to fences, ornamental grasses, shrubs, and walls.

Trees may be allowed within restricted distances if foliage is maintained at a sufficient height to prevent line of sight obstruction.

X. STORAGE OF MATERIALS AND GARBAGE, DUMPING, ETC.

(CC&R's Article 10.15)

All materials, garbage, etc. shall be located or screened so as to be concealed from view of neighboring streets and properties, with the exception that approved trash/garbage/recycling receptacles may be placed at curbside from sundown the night before scheduled pickup to the end of the day of pickup (also see Design Requirements and Guidelines 5.W ("HVAC Units, Trash and Recycle Receptacles") for additional screening/concealment requirements.

All rubbish, trash and garbage shall be regularly removed and shall not be allowed to accumulate.

Compost containers are considered on an individual owner basis and must be approved by the ARB or the MC.

Dumping of grass clippings, leaves or other debris is not permitted.

Dumping of rubbish, trash, and/or garbage; petroleum products; fertilizers; or other potentially hazardous and/or toxic substances into any drainage ditch, stream, pond or lake within the properties is not permitted. Fertilizers may be applied to landscaping on properties provided care is taken to minimize runoff.

Bulk materials, lumber, metals, refuse, trash or other similar materials shall not be kept, stored or allowed to accumulate on any properties, whether improved or unimproved, except during construction.

During construction, the building materials on any property shall be placed and kept in an orderly fashion, and any trash or waste materials shall be regularly removed.

Y. TEMPORARY AND PREFABRICATED STRUCTURES

(CC&R's Article 10.20)

Temporary housing, dwellings, garages, barns or out-buildings shall not be placed or erected on any property.

Mobile homes, trailer homes, travel trailers, campers or recreational vehicles shall not be stored, parked or otherwise allowed to be placed on any property as a temporary or permanent dwelling.

Modular or manufactured homes shall not be placed, erected, constructed or permitted on any property. This includes any prefabricated or pre-built dwellings.

A temporary storage facility, e.g., a storage POD, may be used during alterations, renovations, or repairs only with the approval of the Property Management Office.

Pre-fabricated accessory structures, such as sheds and gazebos, must be approved by the ARB.

Z. WETLANDS

(CC&R's Article 10.23)

Areas designated as wetlands shall be generally left in their natural state and any proposed alteration must be in accordance with any restrictions or covenants recorded against such property and approved by the Army Corps of Engineers (COE) and NC Department of Environmental Quality (DEQ).

Prior to any proposed alteration, including fill, the owner shall obtain approval for such alteration from the COE, the DEQ and/or the ARB/MC, if applicable.

Please reference Design Requirements and Guidelines 5.NN ("Wetlands (404)") for detailed requirements specific to the preservation of wetland areas.