



ANNEXURE "A"
ESTATE RULES / RULES OF CONDUCT FOR
RESIDENTS IN STONEHAVEN ESTATES

1. INTRODUCTION

One of the main objectives of the development of Stonehaven Estates is the provision of a high quality of lifestyle for Estate residents. The main objective of the Trustees of the Homeowners Association (HOA) in drafting these Estate Rules is that of protecting this lifestyle. The Estate Rules may be changed from time to time, by the Trustees. They are binding upon all residents in the Estate, as is any decision taken by the Trustees in interpreting these rules. The registered owners of properties are responsible for ensuring that members of their families, tenants, visitors: friends and all their employees abide by these rules. Should any of these rules be in conflict with the Articles of the Association of the registered Section 21 Company the Articles shall apply.

2. USE OF THE STREETS AND MAINTENANCE OF THE STREETScape

The collective pride of the Estate will depend to a considerable extent, on the contribution of every owner in the creation and maintenance to the common areas.

- 2.1. Every owner has a responsibility to the Estate community as a whole to maintain the area between the road surface and the walls, which screens the private areas of his property;
- 2.2. Caravans, trailers, boats, wendy houses, tool sheds, equipment, tools, engine and vehicle parts; as well as accommodation for pets should be sited out of public view and screened from neighbouring properties;
- 2.3. Building material may not be dumped on the sidewalks under any circumstances.
- 2.4. The speed limit in all the streets is 40 km/h.;
- 2.5. Residents are requested to remember that children and animals crossing streets in the Estate have right of way and motorists should always travel with caution;
- 2.6. Parking on sidewalks and in the street is prohibited;
- 2.7. The riding of horses on the Estate roads or sidewalks must be exercised with caution. The use of motorcycles, quad bikes or other vehicles with noisy exhaust systems is prohibited;
- 2.8. No person who is not in possession of a valid driver's license may be in control of any vehicle or motorcycle on the roads within the Estate;
- 2.9. Littering will be considered an offence and penalties may be imposed by the Trustees on any offence;
- 2.10. Maintain and paint, where necessary, property boundary walling only earthy colours are permitted;
- 2.11. Ensure that caravans, washing lines, trailers, boats, wendy houses, tool sheds, mechanical equipment or part thereof and accommodation for pets are sited out of public view and screened from neighbouring properties;
- 2.12. No trees, plants or sidewalks lawn may be removed without the permission of the HOA. Planting should not interfere with pedestrian traffic or obscure the vision of motorists.

3. USE OF OPEN AREAS

A particular appeal is made to residents to leave any open space they visit in a cleaner condition than in which it was found. Litterbins will not be provided in any open areas specifically to encourage residents to take all of their litter away when they leave. Picnicking is permitted in the park areas, which are generally associated with river or stream courses. The lighting of fires or braai's is however not permitted. No plants, shrubs or trees may be removed from the open spaces, and fishing or the trapping of or shooting of birds is not permitted. Residents should take note that all rivers with catchment areas may be polluted, and that the water is probably not safe to bathe in or to drink. The residents' use of the open spaces area is entirely at their own risk at all times.

- 3.1. No rubble or refuse should be dumped or discarded in any part of the common areas river or stream courses, including the streets and pavements;
- 3.2. Flora may not be damaged or removed in any public area;
- 3.3. Fauna of any nature may not be chased or trapped in any area, be it by people, dogs or cats;
- 3.4. Every owner must ensure that contractors in his employ adhere specifically to the rules of this estate and the Contractors Code of Conduct, which will be handed to a Purchaser when his plans are approved;
- 3.5. Residents are responsible for maintaining trees, plants and shrubs planted on their pavements;
- 3.6. Residents are expected to maintain a high standard of garden and pavement maintenance;
- 3.7. Residents must ensure that declared noxious flora are not planted or growing in their gardens;
- 3.8. The planting of indigenous plants / trees is encouraged.

4. PETS

- 4.1. The type, size and number of animals kept by owners on their property may be regulated by the Trustees;
- 4.2. All residents have a responsibility to ensure that their dogs / or other animals are not the cause of any disturbance;
- 4.3. Dogs will not be allowed into common areas without the use of a leash and unless properly controlled by its owners in order to ensure that:
 - a) other dogs are not interfered with; and / or
 - b) joggers, walkers and horses are not harassed; and / or
 - c) dogs do not cause traffic accidents, and / or
 - d) dogs are not the cause of uncleared fouling of sidewalks and park areas;
- 4.4. No animals may be kept on any property unless the property has been properly fenced to ensure that the animals are secured thereon;
- 4.5. The trustees shall have the right to remove any animal from the Estate, which is not properly controlled by its owners.

5. ACTIVITIES ON PROPERTIES AND WITHIN THE ESTATE

- 5.1. No business activity or hobby, which would cause aggravation or nuisance to fellow residents', may be conducted;
- 5.2. Workshop activity, and lawn mowing should only be indulged in between the hours of 08h00 – 16h00 weekdays and Saturdays;
- 5.3. Refuse and refuse bags may not be placed on the pavement, except on the day of removal;
- 5.4. No advertisements or publicity material may be exhibited or distributed without the consent of the HOA.

6. DOMESTIC HELP AND GUESTS

Any owner or occupier of a Property –

- 6.1. Shall be responsible for the activities and conduct of his domestic help and guests and shall ensure that they do not breach any rules, national legislation or local authority bye-law which may affect the Estate;
- 6.2. Shall ensure that his domestic help and their or his visitors or guests do not loiter on the Estate;
- 6.3. Shall ensure that his domestic help and their or his visitors or guests do not cause undue noise within his Property or on the common property or elsewhere in the Estate;
- 6.4. Whose domestic help or guests consistently fail to abide by the rules may be required to remove such domestic help or guest from the Estate if so instructed by the board;
- 6.5. Shall not be entitled to request personal duties to be performed by any members of the staff employed by the Association.

7. DUTIES OF OWNERS AND OCCUPIERS OF PROPERTIES

An owner of a Property –

- 7.1. Shall not use his Property or any part of, or permit it to be used, in such a manner or for such purpose as shall be injurious to the reputation of the Estate or any other Properties in the Estate;
- 7.2. Shall not contravene, or permit the contravention, of any law, by-law, ordinance, proclamation or statutory regulation relating to or affecting the occupation of his Property, or the carrying on of business on the Property, or so contravene or permit the contravention of the conditions of title applicable to his Property.

8. OWNER'S FAILURE TO MAINTAIN

If any owner fails to repair or maintain his Property in a state of good repair and any such failure persists for a period of thirty days after the giving of notice by the directors or the managing agent on their behalf, the Association shall be entitled without further notice to remedy the owner's failure and to recover the reasonable cost of doing so from such owner.

9. APPEARANCE FROM OUTSIDE

The owner or occupier of a Property shall not place or do anything on any part of the Property, including balconies, patios, stoops and gardens which, in the discretion of the directors is aesthetically displeasing or undesirable when viewed from the outside of the Property.

10. SECURITY

In the interest of providing an effective security system, security protocol must be adhered to at all times, and residents are requested always to treat the security personnel in a co-operative and patient manner. Estate security is designed to function as follows:

- 10.1. The security room at the main entrance will be manned 24 hours per day;

- 10.2. Residents will be issued with Stonehaven Estates security stickers for attachment to motor vehicle windscreens - the security guard will allow vehicles with such sticker's relative unimpeded access to the Estate;
- 10.3. The security centre at the gate should be advised in advance of the pending arrival of visitors, and particulars relating to vehicle registration numbers and property to be visited should be provided.
- 10.4. Where the visitors arrive unannounced, the security guards will contact the relevant resident by telephone in order to verify that access may be granted;
- 10.5. The Estate will be patrolled on a random basis by security guards;
- 10.6. All residents, tenants and other persons who reside on the Estate must register with the security centre and complete the required data sheets;
- 10.7. Security guards are doing a difficult job. They may not be abused under any circumstances.
- 10.8. Security protocol at the gate must be adhered to at all times.
- 10.9. Every owner must request visitors to adhere to security protocol. Security is an "attitude", be aware that you need to enforce and apply security to make it work. Do not hesitate to question suspicious persons not displaying their ID cards.

11. LETTING AND SELLING PROPERTY

In order to ensure that the rules applicable to the Estate are, and adhered to and the regulations of ownership and residency of the Estate are made known to new residents, the following rules relating to the reselling of the property shall apply:

- 11.1. Should an owner wish to sell his property in the Estate, an Agent should operate on a "By appointment" basis in which case they must personally accompany prospective buyers and are not allowed to erect any "For sale" or "Show House" or "Sold" signage boards unless the Trustees have approved the same.
- 11.2. No "Show Houses" will be allowed. Agents will market properties for sale on a "By appointment" basis only.
- 11.3. Should any owner let his property, he shall advise the HOA in advance of the name of the Lessee and the period of such lease. The owner shall inform the Lessee of all House Rules and other rules, and bind the Lessee to adhere to such rules;
- 11.4. The occupiers of any property within the Estate are liable for the conduct of their visitors, contractors and employees, and must ensure that such parties adhere to the House Rules;
- 11.5. Every owner must ensure that contractors in his employ have signed the Contractor's Code of conduct and adhere to the stipulations of the code.
- 11.6. The Trustees are entitled to charge an administrative fee for amending their records subsequent to a sale or letting of a property.

12. ERADICATION OF PESTS

An owner of a Property shall keep his Property free of white ants, borer and other wood destroying insects.

13. NOISE

An owner of a property or his occupier shall –

- 13.1. Ensure that he and his visitors or guests do not make or create undue noise;

- 13.2. Not cause or permit any disorderly conduct of whatsoever nature either in or on his portion and / or the Common property;
- 13.3. Not do or permit any act to be done in or about his property and / or Common property which shall constitute or cause a nuisance or inconvenience to owners or occupiers or other properties or to the Association;
- 13.4. Radios, musical instruments, record players, TV sets and home movies must be used with discretion so as not to cause a nuisance to other owners on the Estate;
- 13.5. Parties should be discussed with neighbours prior to the event and after midnight; discretion must be used by the owner concerned.

14. GENERAL ADMINISTRATION AND LEVIES

- 14.1. Levies for the 24 hour security and the maintenance of the common property will be determined by the Trustees from time to time;
- 14.2. All levies are due and payable in advance on the first day of each and every month;
- 14.3. Interest will be raised on all accounts in arrears at an interest rate to be determined by the Trustees;
- 14.4. An administration fee as determined by the Trustees will be debited to any debtor who failed to pay outstanding amounts by the 7th of the month;
- 14.5. The Trustees may amend or add to the Estate Rules from time to time;
- 14.6. The Trustees reserve the right to take any action they deem fit in the instance of a continued contravention of a rule, after expiry of a written notice detailing the contravention. Such action can include legal action by the HOA the cost. of which will be charged to the transgressor, or possible imposition of a fine and subsequent legal action;
- 14.7. This document may be amended from time to time to cater for conditions that may not have been foreseen at the time of writing, and the Trustees reserve the right to make such amendments as they deem fit, which shall be binding upon all residents in the Estate;
- 14.8. All outstanding debtors over 60 days will be handed over for collection;
- 14.9. Levies will be annualised and the full levies will become due and payable in the event that the account is over due by 120 days;
- 14.10. The owner and the Trustees consent to the jurisdiction of the Magistrate's Court.
- 14.11. The owner consents to payment of all legal fees of an attorney and client scale, should litigation be the result of default by the owner;
- 14.12. Unless the HOA is otherwise advised in writing the owners domicilium address shall be deemed to be his property on the Estate.

15. ARCHITECTURAL GUIDELINES AND CONDITIONS

The board of the Association shall in writing lay down Architectural Guidelines and Conditions which shall be applicable to the Development, and which shall be binding on all Property owners in the Development.

16. BINDING NATURE

- 16.1. The provisions of these rules and any other rules properly laid down by the board of the Association from time to time, and the duties of the owners in relation to the use and occupation of the Properties shall be binding on each respective owner of any property and any lessee or other occupant of any property and it shall be the duty of each owner to ensure compliance with the rules by his lessee or occupants, including employees, and guests.

16.2. The Title Deed in respect of every property in the Development shall contain a condition that transfer of such property to a new owner may not be registered by the Deeds Office without the written consent of the Association. The board of the Association may withhold such consent if the proposed transferor is in breach of any material rule laid down by the Association from time to time.

17. SUNDRY PROVISIONS

17.1. The Association or its agents shall not be liable for any injury or loss or damage of any description which any owner or occupier of a property or any member of his family, his employee or servant or his relative, friend, acquaintance, visitor, invitee or guest may sustain, physically or to his or their property, directly or indirectly in or about the common property or in the individual properties or for any act done or for neglect on the part on the part of the Association or any of the Association's employees, servants agents or contractors;

17.2. The Association or its agents, representatives and servants shall not be liable or responsible in any manner whatsoever for the receipt or the non-receipt and delivery or non-delivery of goods, postal matter or any other property;

17.3. No business or trade that attracts a flow of customers, materials, suppliers or staff to the complex may be conducted on the individual properties without the prior written consent of the board of directors.

17.4. No auctions or jumble sales may be held on the common property or on the individual properties.

17.5. No firearms or pellet guns may be discharged within the Estate. Any owner or occupier causing damage to any area of the common property shall be liable forthwith to make good such damage at his own cost.

18. EXTERIOR

18.1. No alteration or additions to the exterior of the portions shall be undertaken by any owner without the written approval of the board.

18.2. All exterior paintwork must conform to the colour scheme of the Estate.

19. BREACH OF RULES

Any member who continues to be in breach of these rules after receiving written notification of such breach from the directors of their appointed agents shall be liable for a fine as determined by the directors.

CHAIRMAN
STONEHAVEN ESTATES HOMEOWNER ASSOCIATION

02 March 2006