

FAIRWAYS OF WHISPERING PINES RULE REGARDING GENERATORS

Fairways of Whispering Pines Condominium Association (the "Association") adopts this Rule Regarding Generators on October 10, 2016, effective immediately.

BACKGROUND

A. The Association is responsible for governance, maintenance, and administration of Fairways of Whispering Pines (the "Condominium").

B. Article VI, Section 11 of the Amended and Restated Condominium Bylaws authorizes the Association to adopt and enforce reasonable rules and regulations in the interest of the Condominium.

The Association adopts the following Rule for the Condominium with respect to the installation and/or use of generators, which shall be binding upon all Co-owners and their grantees, lessees, tenants, occupants, successors, heirs, and assigns who currently or in the future may possess an interest in the Condominium, and shall also supersede any previously adopted rules on the same subject matter:

1. Emergency or Standby Generators. The Board of Directors may authorize the installation of an emergency or standby generator so long as the Co-owner meets the following required conditions:

A. The Co-owner shall submit a modification request to the Association along with a site plan depicting (i) the location of the proposed generator and any associated fuel tanks, other equipment and pads, (ii) the distances from the proposed generator to existing buildings, doors, windows and any other improvement or structure, and (iii) the proposed vegetation to screen the generator from view. The proposed generator must be screened with appropriate vegetation so that it will not be visible from the street or other Residences. The location of the proposed generator and any associated equipment and pads must be within the Unit's side yard, a reasonable distance away from doors and windows and adjacent Residences, and located a minimum of ten feet (10') from the front building line of the Residence. The generator must otherwise comply with all municipal location requirements.

B. Qualified licensed and insured contractors must perform all generator installations, and the Co-owner must provide the Association with the name of the contractor that will be performing the installation along with the contractor's license type and number and a copy of the contractor's certificate of insurance. The Co-owner and contractors must follow all applicable codes and regulations and must obtain all necessary permits at the Co-owner's expense. The Co-owner must provide the Association with copies of all necessary permits prior to proceeding with installation. Once installed, the Co-owner shall provide the Association with any municipal inspection approval if applicable.

C. Generators shall not exceed noise output of 70 decibels at any time. Except for regular periodic maintenance which may only take place between the hours of 9:00 a.m. and 4:00 p.m. Monday through Friday, generators may not be operated unless there is an electrical power outage. Generators In the event that any generator becomes inoperative, the Co-owner shall repair or replace the generator within forty-five (45) days of it becoming inoperative (if a replacement, a new modification request will be required unless the inoperative generator is being replaced with the same

make and model as that existing prior to the replacement and in the same location). If the generator is not repaired or replaced within this forty-five (45) day time period, the Co-owner shall immediately remove the generator and restore the site and all appurtenances to the condition existing prior to the installation.

D. The Association conditions all approvals on the Co-owner signing a Modification and Alteration Agreement, which shall be recorded against the Co-owner's Unit to place all subsequent Co-owners of the Unit on notice of their obligations with respect to the installation. The costs incurred by the Association to prepare and record the Modification and Alteration Agreement shall be paid by the Co-owner in advance of the installation.

2. Portable Generators. The Board of Directors may authorize the use of a portable generator so long as the Co-owner meets the following required conditions:

A. To the extent the portable generator will be connected to the Residence's circuit breaker box, the Co-owner shall submit a modification request to the Association, and the Association conditions approvals on the Co-owner signing a Modification and Alteration Agreement, which shall be recorded against the Co-owner's Unit to place all subsequent Co-owners of the Unit on notice of their obligations with respect to the installation. The costs incurred by the Association to prepare and record the Modification and Alteration Agreement shall be paid by the Co-owner in advance of the installation.

B. If applicable, qualified licensed and insured contractors must perform all generator installations, and the Co-owner must provide the Association with the name of the contractor that will be performing the installation along with the contractor's license type and number and a copy of the contractor's certificate of insurance. The Co-owner and contractors must follow all applicable codes and regulations and must obtain all necessary permits at the Co-owner's expense.

C. Generators shall not be run inside any Residence, garage or other enclosed area, and when in use shall be located within the Unit's side yard a minimum of ten feet (10') from the front building line of the Residence, with the exhaust facing away from any building openings including, without limitation, windows and doors, and must otherwise comply with all municipal location requirements.

D. Generators shall only be used during electrical power outages.

3. The Co-owner shall be responsible for all maintenance costs and expenses associated with any generator installation. The Co-owner shall also be responsible for any increased maintenance costs incurred by the Association as a result of any installation, and shall reimburse the Association within 30 days of the Association invoicing the Co-owner for such increased maintenance costs. Should any municipality or regulatory agency require modifications to the generator installation or its appurtenant equipment, the Co-owner shall promptly perform the same at the Co-owner's expense.

4. All costs due hereunder shall be secured by the statutory lien on the Unit and collected from the responsible the Co-owner in the manner provided in Article II of the Condominium Bylaws.

5. Except as set forth above, this Policy does not modify or alter the provisions of Article VI or any other provision of the Condominium Documents.

Respectfully submitted,

Board of Directors,
Fairways of Whispering Pines Condominium Association