

Blouberg Hills & Sandown Estate

ESTATE RULES

1.0 INTRODUCTION

Blouberg Hills & Sandown Estate has been designed to provide a comfortable and secure living environment and lifestyle for the residents of the Estate. The intention of these rules is that of protecting and enhancing this lifestyle and the environment of the Estate. These rules are binding upon all owners, residents, visitors and Contractors, as are decisions taken by the trustees in interpreting or enforcing these rules. The registered owners of properties are responsible for ensuring that members of their families, tenants, visitors, friends and all their employees are aware of, and abide by, these rules. The trustees of Big Bay Residential Estate Home Owners Association (HOA) reserve the right to modify, amend, add to, or delete any of these rules from time to time.

This document should be read in conjunction with the other documentation issued to purchasers that includes the design guidelines for the Big Bay Development Framework, the design guidelines for Big Bay Residential Estate, the Constitution of the Big Bay Master Home Owners Association, the Constitution of the Big Bay Residential Estate Property Owners Association, and the Contractors Agreement which stipulates the conditions under which construction may take place on the Estate.

Blouberg Hills & Sandown Estate is a private estate, which permits a higher degree of control of the living environment than would be the case in a normal suburb. Therefore these structures have been set up to manage this environment and to exercise certain objectives such as access control and general on site security.

2.0 USE OF THE STREETS

a) Description

- (i) The speed limit is 20kph.
- (ii) The use of motorcycles, quad bikes, scramblers, motorized scooters any vehicles with noisy exhaust systems and/or un-roadworthy vehicles is prohibited anywhere on the Estate.
- (iii) Hooting at the entrance or anywhere within the estate is prohibited.

b) **Breach**

Should a resident or a resident's visitor not comply with the above rules a fine of R 100,00 per transgression may be imposed by the HOA on the property owner without warning. A transgressing visitor may be escorted from the Estate.

3.0 LANDSCAPING & MAINTENANCE OF VERGES

a) **Description**

It is a requirement that the homeowner landscape and maintain the verge(s) adjacent to his property.

b)

Breach

The estate will appoint a Contractor to landscape and/or maintain the unacceptable verge for the resident's account. In addition to this the resident may be fined R1000, 00 per offence.

4.0 REFUSE REMOVAL & DUMPING

a)

Description

- (i) Refuse removal is to be undertaken by the local authority on designated days (Mondays as at October 2005). Only the standard municipal black bins will be collected. Should any other refuse be placed outside for collection and refused by the Municipality, this has to be removed by the resident on the same day.
- (ii) No resident, resident's agent and/or Contractor is allowed to dispose of any refuse, rubble and/or excess of any kind on any other private and or common property.

b)

Breach

- (i) Should a resident not comply with the above rule a fine of R 100,00 per transgression per day may be imposed by the HOA.
- (ii) In the case as described in paragraph 4.0 (ii) above, the Estate will appoint a Contractor to remove all such spoil for the resident's account. In addition, the resident will be fined R1000, 00 per offence.

5.0 DOGS AND OTHER ANIMALS

a)

Description

All dogs must be kept on a leash at all times when on common property. No resident shall permit their dog(s) to cause a nuisance to other residents. This applies particularly to barking and defecating on common areas.

b)

Breach

Should a resident not comply with the above rule a fine of R 250,00 per transgression per day may be imposed by the HOA.

6.0 LETTING AND RE-SELLING OF PROPERTY - OUTSIDE AGENTS AND SHOWING OF HOUSES

a)

Description

- (i) Re-sales and letting of property is permitted by agents who are accredited with the HOA.
- (ii) No signage is permitted on any plot, house or on any of the common property, with the exception of 6.0 (iii) below.
- (iii) Only on Sundays a resident or his/her agent may be permitted to erect "For Sale" signs on the applicable properties and to the discretion of the HOA.

b)

Breach

- (i) Should a resident not comply with the above rule a fine of R 250,00 per transgression per day may be imposed by the HOA.
- (ii) In addition, the offending agent may be prohibited from entering the Estate in the future.

7.0 PAYMENT OF LEVIES

a) Description

Levies are due and payable by debit order on the first day of each and every month.

b) Breach

Interest of 4% above prime will be raised on all amounts in arrears.

8.0 SECURITY AND ACCESS CONTROL

a) Description

- (i) A central feature to the quality of life at Big Bay Residential Estate is security. The Estate is fully protected by electrified fencing that is designed to prevent unauthorised access to the Estate.
- (ii) An important element of a secure lifestyle is that of prevention and deterrence. Residents are requested to familiarize themselves with the procedures, which have been developed to manage the influx of people and vehicles with the minimum disruption whilst at the same time protecting the residents. From time to time certain changes may be made to some of these procedures, and residents will be advised accordingly. Residents are reminded that they have the responsibility for the conduct of their visitors and for ensuring that they adhere to the security procedures.
- (iii) Only the Estate's registered property owners, their immediate family and registered residents are permitted to use their remote control button to gain access to the Estate.
- (iv) The use of a remote control button to allow access to any Contractor or person not registered as the Estate's resident is specifically prohibited.
- (v) Should the remote control access be required for a longer-term visitor or house sitter, this has to be recorded at the Security Office.

b. Breach

- (i) Any Contractor or visitor not adhering to this regulation will be removed from Estate.
- (ii) In addition the relevant property owner will be fined up to R 500, 00 per transgression.

9.0 REMOVAL OF ALIEN VEGETATION

a) Description

- (i) Property owners must ensure that properties are free of weeds and alien vegetation and that undeveloped Erven are neat and tidy at all times.
- (ii) Property owners are required to take appropriate steps to ensure that any surface erosion does not result in the accumulation of soil on the roads and sidewalks.

b) Breach

- (i) Should a property owner not comply with this regulation, an outside Contractor shall be appointed and the costs thereof claimed from the

- property owner.
- (ii) In addition, the non-complying homeowner may be fined R 500,00.

10.0 WORK ON THE ESTATE AND APPOINTMENT OF CONTRACTORS

a) Description

- (i) For the purposes of this document, the following definitions apply:

“**Contractor**” is defined as any person performing any work of any kind anywhere on the Estate. This excludes “Handy-man” as described below. Building work of any kind is specifically defined as Contractor work.

“**Handy-man**” is defined as any resident or person directly employed by a resident (maximum 2 non-residents), for the purposes of a small, unobtrusive maintenance work within the boundaries of the resident’s property only.

- (ii) All **Contractor** work is regulated and subject to the Estate Building Rules. When appointing a Contractor, all property owners are required to inform the Security.
- (ii) Once appointed by the property owners, **Contractors** will be required to enter into a Contractors Agreement with the HOA. The agreement is designed to regulate the activities and conduct of Contractors within the estate.
- (iii) Unless described otherwise elsewhere in this document, **Handy-man** work is regulated and subject to the Estate Building Rules.
- (iv) By appointing a **Handy-man**, the Home Owner accepts full responsibility for the Handy-man’s adherence to both, the Estate Rules and the Building Rules.
- (v) Only a **Handy-man** accompanied by a resident may enter, leave and/or move around the Estate on foot.

b) Breach

- (i) No Contractor shall be permitted to enter the Estate without a signed Contractors Agreement.
- (ii) Any property owner assisting and/or allowing a Contractor’s access to the Estate in breach of the Estate Rules will be fined up to R 1000, 00 per transgression.
- (iii) Any Home Owner in breach of paragraph (v) above shall be fined up to R 500,00 per transgression.

11.0 LEVY SUPPORT SCHEME

A levy support scheme (endowment levy) has been established within the main objective of minimizing future levy increases. In terms of this scheme, 0.5% of the proceeds of any re-sales must be paid to the HOA on transfer of the property to the new owner.

12.0 MAINTENANCE OF STRUCTURES INCLUDING BOUNDARY WALLS:

Homeowners are required to maintain all structures on their properties, including boundary walls, in good condition.

13.0 WENDY HOUSES, JUNGLE GYMS, USE OF SHADE CLOTH & NETTING

a) Description

- (i) All Wendy Houses, Jungle Gyms and any other structures visible from any road and/or common area have to be approved by the HOA prior to erection.
- (ii) All applications must be done in writing and they must clearly indicate the positioning of the structure and the degree of its visibility from the road and/or common areas.
- (iii) The use of shade cloth, netting and any other material, which may, to the HOA's discretion, be to the detriment of the Estate, in any areas visible from the roads and/or common areas, is prohibited.

b) Breach

The transgressing resident may be fined R 250,00 per week until full rectification.

14.0 BOATS, TRAILERS, CARAVANS & COMMERCIAL VEHICLES

a) Description

Boats, trailers, caravans, commercial vehicles and similar have to be stored and/or parked inside of the home owners property behind a closed gate, screened off from the view from all public places and roads.

b) Breach

The transgressing Home Owner may be fined R 500,00 per offence per week.

15.0 WORK HOURS

Any work performed anywhere on the Estate by any non-resident is restricted to the following times:

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| - Monday to Friday (working days) | 07h00 to 17h00 (Estate to be vacated by 17h30) |
| - Saturdays (excl. Public Holidays) | 08h00 to 13h30 (Estate to be vacated by 14h00) |
| - Sundays, Public Holidays: | No work permitted |
| - December/January holidays, as determined by the HOA from year to year: | No work permitted, other than regular garden service, which shall be permitted. |

Exceptions:

- a) Life and/or property threatening emergencies, such as burst geysers or broken water pipes, only.
- b) **Saturdays only (excluding December/January holidays and Public Holidays):** Handy-men, as defined in paragraph

10.0 above, may, by arrangement with the Security, leave the Estate on or before 17h00, provided they are accompanied by a resident. This rule is concerned with the safety of children playing in the streets and it strictly applies regardless of whether the Handy-man is driving or on foot.

16.0 CONTACT TELEPHONE NUMBERS

Contact telephone numbers can be programmed into the communication system to enable security at the guardhouse to contact the homeowner / resident. Once resident on the Estate, landline numbers must be supplied, with cell phone numbers for emergency use only.

17.0 DOMESTICS & GARDENERS

Details of domestics and gardeners must be supplied to security who will issue an appropriate access tag for entry into the estate.

18.0 PAYMENT OF FINES

a) Description

All penalties and fines must be paid within 30 days of the date of issue.

b) Breach

Interest of 4% above prime will be raised on all amounts in arrears.

19.0 ENFORCEMENT OF RULES & INSTRUCTIONS

a) Description

(i) All Home Owners, Contractors, Subcontractors, Agents, workers, delivery personnel and/or any personnel entering the Estate are obligated to cooperate with the Estate Manager, the Security and/or the HOA Trustees in their effort to enforce security and the rules as described in this document.

b) Breach

(i) Any property owner who does not comply with the above rule and/or any property owner whose visitors are not complying with the above rules, shall be fined up to R 5000,00 per transgression, in addition to any other fines that may be applicable as per this document.

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