

July 28, 2017

Nottingham HOA
PO Box 3111
Sanford, NC 27331

Dear Homeowner,

Homeowners Associations or HOAs are designed to protect the value of your home and maintain the safety and well-being in a community. Homes and yards in HOA-governed communities are generally well-maintained and free of clutter such as unused vehicles, laundry, unsightly additions or fences. The HOA will see to the maintenance of common areas and solve disputes between neighbors over nuisance matters that may or may not also be covered by city ordinances. HOA fees pay for these services and may pay for future shared services such as security and community events.

From 2005 to 2015 the developer of the Nottingham subdivision paid for the cost of property taxes and upkeep on Nottingham's common areas without forwarding this charge to homeowners. In 2015, as the development neared its completion, the developer deeded over the common areas to Nottingham's HOA. From then on all fees, taxes, and nuisance complaints were the responsibility of the HOA.

On May 9, 2017, all Nottingham homeowners were invited to attend an HOA development meeting. During that meeting, attendees learned about the HOA process and voted on a governing board. Officers were put forth and elected by attendees. From that night, the developer handed over all responsibility and financial duty to the volunteer HOA Board of Directors.

The Board of Directors elected that night were:

- President: Dan Caron (2 year term)
- Vice President: Ray Chapuis (2 year term)
- Treasurer: Allison Sills (3 year term)
- Secretary: Kathie Chapuis (3 year term)
- Compliance: Keith Skaggs (3 year term)

The Board of Directors oversees the daily function and financial responsibilities of the HOA. The Board is also responsible for maintaining members' compliance with the established covenants of the HOA. The covenants contain specific provisions regarding what can and cannot be done on your property, some of which are already controlled by city ordinances. Please take the time to read through the covenants documents that, if not received during your home purchase process, can be viewed on our website at:

<https://www.nottinghamhoasanfordnc.com> (nottingham hoa sanford nc)

This website is the official communication channel between the Board of Directors and Nottingham homeowners. On the website you can find the covenants of each phase, a map of common areas, a list of frequently asked questions, who your board members are, and how to contact the HOA for payments or concerns.

The purpose of this HOA is to protect our scenic environment and maintain the value of our homes. Compared to other HOAs in the area, the annual fees charged at Nottingham are extremely competitive and are not considered punitive compared to the price of the property. The fees pay for the upkeep and taxes of common areas. Money left over from these costs are held in an HOA-specific bank account to use for any costs or future new additions to the public spaces that might include paving the walk path under the power lines, installing play equipment, adding speed bumps, or adding speed limit signs.

Fees charged to homeowners were \$50 due on January 1, 2016 and \$50 due on January 1, 2017. The fee will remain \$50 due on January 1 of each year, and we predict this amount will not increase for the foreseeable future. For those of you who have paid on time, thank you. For those of you who have not paid, the HOA is allowing a grace period until August 31, 2017 to pay all money due prior to receiving this announcement, including previous years due. We are providing this grace period only because information about the formation of the HOA has not been clear, and we have heard many questions.

We hope that the contents of this letter assuage your concerns. The purpose of this HOA is to maintain a superior living environment and property values. We are maintaining something that has been carefully cultivated by the subdivision developer prior to 2015 and that will continue to grow and benefit all homeowners within the subdivision afterwards.

Nottingham HOA Frequently Asked Questions (FAQ)

1. Do I have to pay? Yes. Whether you were informed or not, homeownership in the Nottingham subdivision requires annual payment to a homeowners association. North Carolina realtors are required to inform you that an HOA may be in your subdivision. They are not required to tell you specifics. The responsibility for finding out the specifics is solely that of the potential homeowner.

2. Do I have to pay even if I can't find anything about an HOA in my mortgage?
Yes, you still have to pay. Mention of an HOA may not be in the mortgage part of your closing documents, which is a financial contract between you and a financial institution. But closing documents include more than mortgage papers. Mention of an HOA could be in your Offer to Purchase Contract or among many additional pieces of paper required in closing documents. Please check all of your closing documents carefully. Even if nothing about a homeowners association is mentioned in your mortgage or any closing documents, it is still your responsibility as a home buyer to investigate whether or not an HOA exists and how much it costs. There are several ways to investigate.
 - a. Ask your realtor. A good realtor may be able to find the information for you as it is public record.
 - b. Ask people in the neighborhood where they got their information.
 - c. Do an online search for information about the subdivision.
 - d. Visit the Lee County Register of Deeds in person.
 - e. Visit the Lee County Register of Deeds Online (see next).
3. Can I find the covenants online besides on your website? Yes. The covenants for the Nottingham subdivision are available at the Lee County Register of Deeds Online by following these directions:
 - a. <http://www.leecountync.gov/Departments/RegisterofDeeds.aspx>
 - b. Click on "Register of Deeds Online"
 - c. Click on "Acknowledge Disclaimer to Being Searching Records"
 - d. Click on "Full System"
 - e. Under "name type" click the circle in front of "Non-Human" and search for "nottingham subdivision"
 - f. The results page will return with several phase options to choose from. If you don't know your phase please see the map on the HOA website.
 - g. Choose your phase by double clicking on the phase.
 - h. Scroll to the bottom of the website. Look for a button called "image"
 - i. Click on the button. The image will popup and be a downloadable copy of the covenants for your phase.
4. I didn't agree to this covenant, and I never heard about it, can I take legal action to avoid paying? You can, but success is unlikely because the covenants have been on file with the Lee County Register of Deeds since before the first house in Nottingham was occupied in 2004. Expenses the HOA incurs for fighting lawsuits will be taken out of collected fees as outlined in all covenants and NC law.
5. What will happen if I don't pay? If you don't pay, North Carolina law allows the HOA to file a lien against your property for any unpaid amount that is 30 days late. Nottingham HOA understands that there has been some confusion about

the HOA prior to receiving this letter. We hope this letter informs you on many issues. After this letter, we will send late notices to those who have not paid by August 1. Any property that is still in arrears for the years 2016 & 2017 after August 31 will accrue late fees of \$20 per month late, per year late, as allowed by NC Law. After 6 months of non-payment, Nottingham HOA will file a lien against a property. The removal of a lien against a property will include the payment of all yearly fees due plus late fees due plus the court costs involved with placing the lien. For further information please visit:

http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByChapter/Chapter_47F.html

We do not consider the fees Nottingham charges punitive nor large considering the value of the homes and the neighborhood we are trying to maintain.

6. How do you know who's paid and who hasn't? The developer kept very careful records which were passed to the HOA.
7. Can I petition to remove the HOA and/or fees? To dissolve an HOA is a lengthy process that requires 80% of member properties to agree.
 - a. Please keep in mind that this subdivision has survived in its current form because of the structure put in place by the developer who has acted exactly like an HOA without charging the fees prior to 2015. Most residents bought homes in Nottingham because of the stability the developer provided until 2015 free of charge. The developer handled nuisance complaints and fees prior to that year of his own volition and at his own expense.
 - b. As the last houses have sold, his interest in whether or not our subdivision remained a nice place to live was turned over to us, the residents. The HOA was deeded the common areas, and we became responsible for governing ourselves. It should be considered our privilege to assume this responsibility and one of these responsibilities is paying fees that maintain our upkeep.
8. I never had to pay before, why do I have to pay now? Prior to 2015, the developer covered all costs and duties usually handled by an HOA. That coverage had positive and negative results. No one had to pay fees, but few homeowners had nuisance complaints addressed either. Now that the developer has turned over those responsibilities to the HOA, the homeowners are exclusively responsible for the duties and activities of its members.
9. Where can I find more information? Nottingham HOA has created a website that provides such information as a map of the common areas, HOA history, who are your board members, how to contact us, and copies of each phase's covenants. You can view this website at <https://www.nottinghamhoasanfordnc.com>

10. Where does my money go? The HOA pays for the upkeep and taxes on common areas as well as clerical duties surrounding the collection of fees and regulation of nuisance complaints. This includes basic office supplies, a banking account, a post office box and a website. No one on the Board of Directors takes any of the money you pay for personal reasons. In fact, we volunteer our time so please keep in mind this involves many evenings and weekends. All surplus money resides in an HOA-specific bank account for future HOA-specific costs or the eventual improvement of common areas including perhaps the pavement of the trail below the power line, a play area, addition of speed bumps or speed limit signs.
11. Does my money pay for improvements on my house? No. As stated in the covenants, the association did not construct the Dwelling Units and does not provide any warranty on them.
12. Is there a website? Yes. <https://www.nottinghamhoasanfordnc.com>
13. How do I contact my HOA? Our address is:
 - a. Nottingham HOA, PO Box 3111, Sanford, NC 27331
 - b. nottinghamhoasanfordnc@gmail.com
14. Where do I send payments? Payments can be sent to:
 - a. Nottingham HOA, PO Box 3111, Sanford, NC 27331
15. What are in the covenants? What can I not do? "Use Restrictions" listed below are common to all phases, and all phase "use restrictions" are virtually the same. Phases may include differences in other parts of the covenants.
 - a. You may not run a business with your home as a storefront. (Also a city ordinance. City ordinances can be found at: <http://www.sanfordnc.net/351/City-Ordinances-Codes>)
 - b. You may not store personal items on our common areas.
 - c. You may not raise animals on common areas.
 - d. You must clean up after pets. (Also a city ordinance)
 - e. You may not allow animals to be a nuisance to neighbors. (This is also a city ordinance which outlines at length the ways animals are a nuisance.)
 - f. You may not allow nuisance activities in your house to affect neighbors. (Also a city ordinance)
 - g. You may not have visible laundry in the front or back of your house.
 - h. You may not put trash in common areas. This includes oversize/bulk trash pickup. Please leave oversize/bulk trash for pickup in your own yard. We have had issues with our mowing service not being able to mow the common areas because oversize/bulk trash was placed in the common areas. The HOA will pay any city fines incurred because the grass is not mowed in a timely manner out of collected HOA fees. For

bulk trash information including pick-up please times visit:

<http://www.sanfordnc.net/235/Bulk-Trash>

- i. You must put all trash in covered containers that must be stored in the garage or behind your house except on trash pick-up day and removed from the street after pick-up within 24 hours. For trash information including pick-up times visit: <http://www.sanfordnc.net/212/Sanitation-Services>
 - j. You may not have open fires except in charcoal grills or similar cooking devices. (Also a city ordinance)
 - k. You may not have signs in your yard except for "For Sale" signs of a normal size.
 - l. You may not have a satellite dish larger than 2 feet in diameter.
 - m. All fences may not be closer to the street than the front of your house.
 - n. Driveways must be paved.
 - o. All new homes must be a minimum of 1600 square feet including garage.
 - p. You may not engage in illegal activity. (This is also city, county, state & federal law.)
16. What is covered by City Ordinances? The following list is for reference only and is not complete. For a complete list of city ordinances please visit this website: <http://www.sanfordnc.net/351/City-Ordinances-Codes>
- a. No animal may run at large. All dogs must be on a leash.
 - b. No weeds or grass over 8 inches in height.
 - c. No loud or disturbing noise allowed. (See ordinances for more details.)
 - d. No vehicle shall be parked on any street which may interfere with passage of other vehicles. Please do not park on either side of any Nottingham street at the apex of a hill or rise. Other vehicles passing your vehicle will be forced to drive blindly into oncoming traffic.
 - e. No abandoned vehicles. Abandoned is defined as left on a public street longer than 7 days or as defined by an ordinance prohibiting parking. May be removed by the city.
 - f. Junked vehicles are defined as partially dismantled, wrecked or cannot be self-propelled. Junked vehicles may be removed by the city.
 - g. No person shall park a vehicle in an intersection. Please do not park in any Nottingham intersection, including T and L shaped, as it can impede school buses, garbage collectors, or emergency responders.