

## Knollwood Homeowners Association

### Summary of Covenants

#### Purpose of Summary

The Covenants for Knollwood Residential Subdivision that have been established and recorded for our neighborhood provide a basic framework for the preservation of those characteristics of the neighborhood that make it special and unique. They are “restriction and protective covenants”, typical for modern developments, that are contractual in nature. These covenants “run with the land” and bind any homeowner. They govern the subjects of Membership, Buildings, Land, Streets and Lots, and also contain a set of General Covenants that restrict, in certain meaningful ways, certain behavior or land use that may otherwise be legal. In order for such covenants to be useful, they must be known and understood by all members. The purpose of this summary is to serve as a quick reference guide and reminder to residents or prospective residents of the types of restrictions that exist in our neighborhood. The summary below focuses solely on the General Covenants in Article 4. For questions about Membership, Buildings, Land, Streets and Lots, the owner or prospective owner should consult the actual recorded covenants, available [here](#).

#### Summary of Restrictive and Protective Covenants

- A. No farm animals are allowed.
- B. Offensive or unlawful activities are forbidden. All unlawful activity is automatically a violation of the Covenants. Some lawful activity that may be deemed “offensive” may also violate the Covenants.
- C. No wells or septic systems are allowed except as may be specifically approved by the appropriate authorities.
- D. No commercial or business activities are allowed except for home offices used exclusively by the owner(s) of the lot where such office is maintained.
- E. No signs are allowed to be displayed except small “for sale” signs or security company signs.
- F. Owners are responsible for **Property Maintenance**. This means:
  - All properties are to be kept in a reasonably clean and orderly manner
  - Owners cannot permit their property to be abandoned, neglected, or allow it to become unclean
  - No litter, wastepaper, rags, cans, bottles, boxes, lumber, metal, garbage, disused or non-working automobiles, trailers, or other machinery, appliances, or furniture can be allowed to remain on the property.
  - No hazardous, unsightly, unsanitary, or obnoxious condition is allowed to remain on a property
  - No unkempt growth of grass, weeds or other vegetation can be allowed to remain on a property

- No fire hazards are allowed to remain on a property
- No trees or shrubs projecting into the street can be allowed to remain on a property
- G. No oil drilling or mining of any kind is allowed
- H. All owners shall conduct themselves in accordance with all applicable Indiana Statutes, Codes, Ordinances, Rules and Regulations, including all building, plumbing, electrical codes, and the Rules of the Metropolitan Development Commission.
- I. No leasing of properties is allowed other than one time per calendar year, and in no event can any leased property be sublet. Any permitted lease must bind the lessee to the Covenants.

### **Enforcement Scheme**

The Covenants are fully enforceable by Association.

-With regard to the **Property Maintenance** covenants discussed above under paragraph F, the usual procedure is for the Association to give written notice to the owner to correct the problem and give them 2 weeks to do so. If action is not taken, the Association may contract with outside parties to fix the problem and bill the homeowner. Such bills become payable as dues and can be collected as such.

-With regard to other violations of the Covenants, the Association has the power to enforce in a court of law. In the event of a successful enforcement action, the Association is entitled to recover its costs and fees, including attorney's fees.

-It is the custom and practice of the Association to engage a service provider to serve as an authorized representative of the Association for administrative and enforcement functions.