

COMMON INTEREST COMMUNITY NO. 11
Planned Community

CROSS LAKE PRESERVE

RULES AND REGULATIONS

1. **Preamble.** Pursuant to Par. 5.6 of the Declaration for Cross Lake Preserve, C.I.C. No.11 dated July 10, 2006 and filed in the Pine County Recorder's Office on _____, and recorded as Document No. _____, the Board of Directors of the Association adopts these rules and regulations. Pursuant to the Declaration, these rules and regulations may be amended or expanded only after a minimum of 30 days notice has been given to the Owners and Occupants.

2. **Purpose.** The purpose of these rules and regulations is to ensure uniform operation and administration of the affairs of the Association and to regulate the use of all Properties within the Association in a manner consistent with the Governing Documents or the Act. It is the intent of the Board of Directors that these rules provide community standards of behavior necessary for an effective and harmonious community. These rules and regulations should promote quiet enjoyment of all Properties, protect real estate values, and promote the health and safety of the Owners and Occupants.

These rules and regulations have been distributed to all Owners and Occupants in accordance with the Declaration. The authority to interpret the rules and regulations rests with the Board of Directors.

3. **Definitions.** The terms and phrases used in these rules and regulations shall have the same meaning as given in the Declaration or other Governing Documents, or, if not defined therein, the meaning given to those terms at common law. References to "the Act" are to Minn. Stat. Chapter 515B, the Minnesota Common Interest Ownership Act.

4. **Overview.** Cross Lake Preserve (CLP) at Pine City is a planned unit development of 81 single-family home sites. Twenty-nine lots (lot sizes from 10,250 sq. ft. to 43,000 sq. ft.) will accommodate traditional single-family lots, and the remaining 52 lots (lot sizes 5,040 sq. ft. to 5,605 sq. ft.) are designed to accommodate single-family cottage units.

The specific architectural style of homes built on traditional single-family lots is not controlled; however each elevation must be distinct from others in the development. In contrast, all 52 single family cottage lots will share a limited number of architectural designs. In order to maintain uniformity throughout both aspects of the development, the following architectural covenants and rules will be applied.

Architectural Covenants. All homes to be built on traditional single-family lots at Cross Lake Preserve must first be approved by the developer. To receive approval, builders must submit a complete set of plans, prior to the start of construction, to C.L. Preserve, LLC for architectural review. C.L. Preserve, LLC will review the plans based on the following criteria:

- **Minimum Finished Living Area**
 - Rambler - Traditional single family – minimum 1040 sq. ft. main level finished
 - Town Cottage - minimum 1000 sq. ft. main level finished
 - Two-Story - Traditional & Town Cottage – minimum 1400 sq. ft. finished

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- Split Foyer - Traditional single family – minimum 1040 sq. ft. on main level
- Town cottage – minimum 1000 sq. ft. main level
- Three Level -Traditional & Town Cottage - minimum 1040 sq. ft. on main and upper levels combined

- **Exterior Elevation**
 - 7:12 minimum roof pitch (Lower roof pitches may be allowed depending on the style of the house – check with the review board for further information)
 - Partial brick, partial stone, or fiber cement board siding is required on all street facing elevations

- **Garages**
 - Total garage area must be less than 60% of the total main-level living area
 - Minimum 400 sq. ft., Maximum 660 sq. ft.
 - Maximum of three garage stalls facing the road Traditional, two stalls Town Cottage (Three stalls on Town Cottage must have side entry)

- **Landscaping**
 - Builder must supply a minimum of two nursery-grown trees (2" min. diameter)
 - Concrete or asphalt driveway
 - Sod - Traditional - Front yard, side yard, and 15 feet (minimum) of rear yard
 - Sod - Town Cottage - Entire lot

Note: To save time and design fees, the review board will make comments and give preliminary approval based on preliminary floor plans.

In addition to the requirements listed above, homes built on single-family cottage lots must fit inside a designated pad-size, and architectural features of the homes must be similar throughout the development. Several town cottage designs have been pre-approved – information concerning those designs can be obtained from the Declarant or from the Association Board of Directors. Additional town cottage plans must be designed and drafted by Rydell Design Group, and must be approved by the C.L. Preserve, LLC architectural review board prior to construction.

For more information, contact Denny Rydell or Justin Eberhardt at (763) 425-6512

5. Association Services.

Traditional Single Family:

The Association will maintain the common area which will consist of lakeshore lot located on Cross Lake which is legally described as Outlot A of Cross Lake Preserve. Access, maintenance and development of Outlot A will be determined by the by the Board of Directors.

Town Cottage:

The association services for Town Cottage homeowners will additionally include:

- Garbage pick up weekly
- Snow Removal from Driveways
- Yard Care Services including mowing and watering
- Other Landscaping Care
- Direct access to the shore of Cross Lake via Outlot A as determined by the Board of Directors.

6. **Parking Areas.** There shall be no long term parking of boats and recreational vehicles in the yards of or driveways of any Units. Long term shall be considered two-weeks or more. Illegally parked motor vehicles, boats, or recreational vehicles will be towed or otherwise removed and the costs thereof shall be specially assessed against the offending Owner's or Occupant's Unit.

7. **Architectural Controls.** Section 7 of the Declaration contains several restrictions which have architectural implications. Section 8 of the Declaration governs Architectural Control of all Properties in the Association.

a. **Outside Storage.** Outside storage of the personal property items described in paragraph 7.7 of the Declaration is not permitted. One out-building per Traditional Lot is allowed, provided that it matches the architectural style of the house and is less than 140 sq. ft. Specifically, the siding and shingles on the out-building must match those on the house.

b. **Animal Enclosures.** Construction or maintenance of dog kennels or other animal enclosures is not permitted on Town Cottage Lots.

c. **Pets.** When the Board of Directors permits ownership of pets, Owners and Occupants are responsible for and liable for their pets. Interference with the quiet enjoyment of another Owner's Unit will not be permitted.

(1) **Town Cottage Lots.** A maximum of two pets per residence are allowed; maximum combined weight of 60 pounds.

(2) **Town Cottage Lots.** Pets will be housed within a Unit or Unit's garage.

(3) **All Lots.** Dogs that bark excessively or other pets that make excessive noise will not be permitted. The authority to determine whether or not a pet animal is "excessively noisy" rests with the Board of Directors.

(4) **All Lots.** Until a sufficient number of Owners are willing to allow it and pay the associated maintenance costs, the Common Elements shall not be utilized as an exercise area for pets. If a pet leaves excrement in the Common Elements, the Owner or Occupant shall immediately remove the excrement and lawfully dispose of it. Additional Association costs related to removal of animal excrement or repairs or maintenance related to animal. Damage will be charged to all pet owners within the Association.

(5) **All Lots.** An Owner or Occupant shall keep a Unit and its exterior area free from animal excrement.

d. **Playhouses and Children's Equipment.** Construction or maintenance of playhouses, sandboxes, swing sets, and playground equipment is not permitted on Town Cottage Lots. Seasonal use of such items maybe permitted by the Board of Directors between Memorial Day and Labor Day after satisfactory architectural review, satisfactory liability review, and satisfactory arrangements have been made with the Owner or Occupant to ensure no damage to Common Elements and to ensure removal and storage after Labor Day. Children's Equipment is not restricted on Traditional Lots.

e. Fences and Landscape Screening. Fences, patio walls, lattices, landscape enclosures, hedges and shrubs are governed by Sections 7 and 8 of the Declaration. "Effective screening," as used in these rules and regulations, can mean any combination of fences, walls, patio walls, lattices, hedges, vines, and shrubs which prevents viewing the interior of the area enclosed by the screening. If the screening consists of vegetation (wholly or partially) it must be effective year-around and not merely effective during the growing season.

f. Unit Appearance. No weeds, underbrush, or other unsightly vegetation shall be permitted to grow or remain upon any Unit. No junk piles, refuse piles, yard waste piles, or other unsightly objects shall be allowed to be stored or placed upon the exterior of any Unit or upon the Common Elements.

g. Garden Sheds and Storage Sheds. One out-building per traditional single-family lot is allowed, provided that it matches the architectural style of the house and is less than 140 sq. ft. Specifically, the siding and roof of the out-building must match that of the house. No out-buildings are allowed on town-cottage lots. The Board of Directors may construct sheds within the Common Elements for the use of the Association.

h. Exterior Lighting. All exterior lighting fixtures and supports shall be architecturally harmonious with other lighting fixtures within the Association. The light cast from exterior yard lights or lamps on poles shall be shielded so that the light is cast only upon the Owner's Unit and so that no glare is created which is offensive to neighboring Units.

i. Exterior Ornamentation. Exterior ornaments or yard ornaments which can be seen from outside of a Unit from any angle must be approved by the Board of Directors prior to installation or construction. Seasonal use of religious ornamentation must be approved by the Board of Directors prior to installation or construction. Seasonal use of religious ornamentation and lights or seasonal placement of political signs, as permitted by law, may be placed without approval of the Board of Directors.

j. Private Wells and Storage Tanks. Private Wells and Storage Tanks of any kind are not permitted to be installed or maintained within a Unit. The Board of Directors may place such items within the Common Elements for the benefit of the Association.

k. Clothes Lines. Clotheslines or other outdoor clothes drying devices are not permitted unless fully screened from public view and neighbors' view by landscape screening or fencing approved by the Board of Directors.

l. Firewood. Unless otherwise permitted, firewood shall be stored inside of a Unit or a Unit's garage. Outside storage of firewood is not permitted unless fully screened from public view and neighbors' view by landscape screening or fencing approved by the Board of Directors.

m. Garbage Cans, Recycling Containers, and Refuse Containers. Household trash and garbage shall be regularly collected. Unless otherwise permitted, garbage cans, recycling containers, and other refuse containers shall be stored inside a Unit or a Unit's garage. Outside storage of garbage cans, recycling containers, and other refuse containers is not permitted unless fully screened from public view and neighbors' view by landscape screening or fencing approved by the Board of Directors.

n. **Gardens.** Vegetable and flower gardens with an area of less than 100 sq. ft. are allowed on Town Cottage Lots. Vegetable and flower gardens up to 200 sq. ft. in area are allowed on Traditional Lots. No private gardens are allowed in common areas.

o. **Antennas.** No exterior television or radio antenna or any sort, including satellite dishes, shall be placed, allowed, or maintained within the exterior areas of a Unit unless fully screened from public view and neighbors' view by landscape screening or fencing approved by the Board of Directors.

p. **Fences.** Fences are allowed on traditional single-family lots, but must be approved by the Association. Fences are not allowed on town cottage lots. The Association may construct fences in common areas. All fences are subject to compliance with City ordinance.

q. Local codes take precedence over all rules described herein.

r. Additional rules may be passed by the Association

8. **Administrative Procedures.** These procedures shall serve as a guide to the Board of Directors in adjudicating individual cases. Where the requirements of these procedures are at variance with or in any other way conflict with laws or public regulations, the more restrictive law or the law imposing the higher standards shall govern.

In all matters where the circumstance or application of the individual Owner is to be adjudicated by the Board of Directors or by the Association, these procedures shall apply: Examples of situations which require application of these procedures are:

- (1) Use or prohibition from use of a Unit for business purposes.
- (2) Violation of the rules for keeping pets.
- (3) Violation of the architectural rules.

a. **Notice and Hearing.** An Owner or Occupant is entitled to adequate notice and a fair hearing prior to the final decision in his or her case.

b. **Notice.** The Board of Directors shall issue a printed notice of the hearing in advance of the hearing date. Adequate advance notice shall be determined by the Board of Directors in each case. The notice shall contain; a reasonably definite statement of the result sought in the proceedings, a short statement of the facts of the matter, and a statement that the Owner or Occupant has the right to be present and to be represented by an attorney.

c. **Evidence.** The Association and the Owner or Occupant shall have the right to examine and cross-examine all witnesses who provide evidence or testimony in the hearing. The Owner or Occupant shall have the right to produce witnesses and evidence in his or her own behalf.

d. **Record; Findings; Conclusions.** The Board of Directors shall keep a permanent written record of the meetings and hearings where the case was discussed or heard. The minutes shall reflect the findings of the Board of Directors and all the conclusions to be drawn from the facts. The minutes shall contain a written statement of the decision for adjudication of the case.

Approved this 10th day of July, 2006

Board of Directors
Cross Lake Preserve
Homeowners Association Inc.

By 
President

By 
Secretary