

PINE ISLAND FARM PROPERTY OWNERS' ASSOCIATION, Inc.'s

RULES and REGULATIONS

February 17, 2005

Sponsor: New York Land & Lakes, Inc.
839 State Highway 7
Unadilla, New York 13849
607-563-8870

I. LOT OWNERS' OBLIGATION

Upon the acceptance and filing of a deed to any Grantee in the Pine Island Farm Subdivision, the said Grantee and the heirs, successors and assigns of said Grantee shall a) become members of the Pine Island Farm Property Owners' Association, Inc. b) have the right to use Field Stone Drive, Mayham Pond Drive and Wild Berry Drive for ingress and egress to and from Blackberry Street to the Grantee's lot and for the installation and maintenance of utilities to Grantee's lot; c) have the right to use the property of the Pine Island Farm Property Owners' Association, Inc. designated as the "Common Area" and Mayham Pond; and d) pay the Pine Island Farm Property Owners' Association, Inc., its successors and assigns, an annual charge which will be determined by the Pine Island Farm Property Owners' Association Inc.'s annual budget for the use and maintenance of the facilities owned and provided by the Pine Island Farm Property Owners' Association, Inc. Said charge is payable forthwith either annually or monthly as determined solely by the Pine Island Farm Property Owners' Association, Inc. Said charge may be increased or decreased by the Pine Island Farm Property Owners' Association, Inc. Such use of said facilities is subject to the reasonable rules and regulations of the Pine Island Farm Property Owners' Association, Inc. as set forth herein.

II. COMMON EXPENSES/INDIVIDUAL LOT OWNERS ANNUAL ASSESSMENTS

1. ANNUAL ASSESSMENT - The annual assessment for each of the aforementioned lots within the Pine Island Farm Subdivision shall be determined by the annual budget. **Based on the first annual budget, which is attached hereto as Appendix 1, the annual assessment for lots 1-9, 17, 25-29 & 34-38 is \$212.08 per year. The annual assessment for lots 10-16, 18-24 & 30-33 is \$657.49 per year.** The annual assessment is determined by dividing the annual Common Expenses and any annual reserves, as determined by the Annual Budget, by the number of the aforementioned lots.

2. EFFECT OF NON-PAYMENT OF COMMON CHARGES; REMEDIES OF THE ASSOCIATION - The Common Charges for the use of the Common Properties shall constitute a debt which may be collected in any court of competent jurisdiction and upon the conveyance of any of the land described therein the successive owner or owners shall from the time of acquiring title, be deemed to have covenanted and agreed to pay the Pine Island Farm Property Owners' Association, Inc., its successors and assigns all charges past, present or future as provided in this paragraph II. This charge shall become a lien on the land and shall continue to be such lien until fully paid; provided, however, that such lien shall be subordinated to a first mortgage to the lot owner.

3. FISCAL YEAR – The Fiscal Year shall begin January 1, 2005.

4. COLLECTION OF FIRST ANNUAL ASSESSMENTS – The first annual assessment will be collected at the time of closing of the lot and will be held separately in a checking account bearing the name of the Pine Island Farm Property Owners'

Association, Inc. The amount collected at closing will be pro-rated based upon the Association's fiscal year.

5. SUBSEQUENT ASSESSMENTS - After the initial collection of annual assessments, which will be obtained upon the closing of each lot, subsequent assessments will be due and payable immediately upon receipt of notice from the Treasurer that assessments are due. The Board of Directors may impose penalties and late fees for delinquent assessments.

III. INITIAL BOARD OF DIRECTORS

Pursuant to Article VIII, section 1 of the By Laws, the initial Board of Directors, as designated by the developer, shall consist of Robert Lesperence, President; William MacAlpine, Treasurer/Secretary; and Alan Lord, Vice President. The initial board of directors shall consist of officers or employees of the developer and shall hold office until the first annual meeting is held pursuant to Article VII, section 7 at which time a new five (5) member board will be elected or designated as provided for in Article VIII of the By-Laws.

IV. MAINTENANCE OF THE COMMON AREAS

1. Private Road - The Association shall be responsible for the year – round maintenance of the private roads known as Mayham Pond Drive, Field Stone Drive and Wild Berry Drive within the Pine Island Farm subdivision including but not limited to snow plowing, sanding, re-grading, re-gravelling, mowing, drainage work and maintenance of stormwater control measures and safety features such as guide rails and traffic control structures.

2. Dam – The Association shall be responsible for the maintenance and any future repair of the Mayham Pond Dam. Routine maintenance requirements include mowing around the dam and removal of any debris build up. Maintenance procedures are outlined in the Report on the Mayham Pond Dam prepared by B.J. O'Neill; P.E. dated June 9, 2004.

3. Stormwater Control Structures - The Association shall be responsible for maintaining stormwater control measures put in place by the developer in accordance with a Stormwater Pollution Prevention Plan prepared by Keystone Associates dated September 3, 2004 and approved by the New York City Department of Environmental Protection on May 24, 2005. Such maintenance requirements are as follows:

- a. Long Term Maintenance activities for vegetation include mowing, fertilizing, watering, pruning, fire controls in dry weather, weed and pest control, reseeding, and repairs as necessary to maintain a vigorous, dense vegetative cover.

b. Vegetated areas and drainage channels are to be maintained as follows:
 Maintain a grass height of 4” to 6”
 Maintain slopes, and
 Repair erosion as necessary

c. Grassed swales, filter strips and infiltration trenches are to be maintained as follows:
 Each grassed swale, filter strip and infiltration trench shall be inspected every month and after major rainfall events. The system shall be cleaned of any silt or grit build-up when 25 percent of the original volume has been exceeded. The stone check dams shall be cleaned of any silt as required to provide for free flow of stormwater.

d. Culverts are to be maintained as follows:
 Culverts shall be inspected annually and cleaned of any silt build-up as required to provide for free flow of stormwater.

e. Maintenance Schedule

<u>Structure or Feature</u>	<u>Maintenance or Monitoring Task</u>	<u>Schedule</u>
Grass	Mow	As required to maintain grass at required height and free of woody plant growth
Grassed Swale/Filter Strips/Infiltration Trenches	Monitor water level	Monthly and during and after each substantial rainfall
	Clean	When 25 percent of the original volume has been exceeded.
Culverts	Inspect and clean as required	Annually

4. Common Area – The Association shall be responsible for the routine maintenance of the common area including annual clean up and occasional repair and maintenance of picnic facilities such as picnic tables and barbecue grills.

V. GENERAL REGULATIONS PERTAINING TO THE USE OF THE COMMON AREAS

1. Authorized Use – All Association properties are intended solely for the private use and enjoyment of the members of the Pine Island Farm Property Owners’ Association, Inc. or their friends, relatives, agents, successors or assigns.

2. Membership Certificate - Association members, their friends, relatives, successors and or assigns must have their membership certificate or card displayed on their vehicle or on their person when on Association property.

3. Speed Limit - The maximum speed limit on all Association roadways is 30 miles per hour.

4. Refuse - No garbage, refuse or trash will be left or disposed of on Association property.

5. Driveways – All newly constructed driveways which intersect any Association roadway shall be approved by the Association and shall be constructed in accordance with the Association’s standards for new driveway installation outlined in Article VI below.

6. Parking – No parking will be allowed on any Association roadway.

7. Alteration - Nothing shall be altered in, constructed on or removed from the Association property without the express written consent of the Board of Directors.

8. Swimming – The use of Mayham Pond for swimming and boating is done at the user’s own risk.

9. Motorized Vehicles – No internal combustion engines shall be allowed on Mayham Pond at any time of the year.

VI. CONSTRUCTION STANDARDS AND PERMIT REQUIREMENTS FOR NEW DRIVEWAY INSTALLATION

1. Prior to the installation of any new driveway onto Mayham Pond Drive, Field Stone Drive or Wild Berry Drive, all lot owners shall apply to the Association for a driveway installation permit (“Permit”).

2. The applicant or contractor shall maintain and protect traffic by so conducting his construction operations so that travelers along Mayham Pond Drive, Field Stone Drive and Wild Berry Drive are subject to minimum delays and hazards. Adequate warning signs and barricades shall be furnished and erected to guide and protect the traffic until the work is completed.

3. The work shall progress with as little delay as possible, and shall not be started until necessary materials and equipment are at the site.
4. No trench cuts shall be closer than 2 feet from the edge of the traveled portion of the road.
5. Certain kinds of pipe are not allowed such as clay tile, sheet metal, used boilers or tanks. Pipe allowed: corrugated metal, reinforced concrete, cast iron, plastic.
6. The surface of the driveway shall slope downward from the edge of the pavement not less than ½” per foot and not more than 1” per foot for the normal shoulder width. Storm water from applicant’s drive shall be conducted in the ditch (see diagram).
7. When blacktop or concrete driveway is to be built the shoulder shall be removed to a sufficient depth to provide a minimum of 6” of gravel or crushed stone base under the driveway paving and shall be properly flared at the pavement edge (see diagram).
8. No headwall or other obstruction shall be constructed to protrude above the level of the shoulder.
9. The highway must be kept in a clean condition at all times with no mud, stone, or other materials left on the road surface.
10. The shoulder, ditch, guide posts, and back slopes on either side of the ditch crossing, shall be neatly restored to their original condition.
11. Work must start within 30 days from date of permit.
12. The Pine Island Farm Property Owners’ Association, Inc. does not assume any responsibility for clearance of snow or ice upon any portion of a driveway or intersecting roadway, even though some snow or ice may be deposited by the Association in normal winter maintenance operations.
13. The Pine Island Farm Property Owners’ Association, Inc. reserves the right of inspection, by authorized representatives of the Association, of any driveway or intersecting highway construction within the right-of-way. In the event of faulty workmanship or materials, the Association shall have the right to cancel the Permit until such time as those conditions are corrected. All costs, including removal costs incurred by the Association, shall be borne by the applicant.
14. No work shall be done to obstruct drainage or divert creeks, water courses, or sluices onto the right-of-way.
15. Work locations must be approved by the Association or its representatives.

16. The Association reserves the right to affix permit fees and to revoke or annul the Permit at any time, without a hearing or the necessity of showing cause.

17. Only culverts of the diameter and lengths as specified on the front of this application will be accepted.

18. The flow line of the culvert shall be the same depth as the roadside ditch flow line.

19. The Pine Island Farm Property Owners' Association, Inc. shall be held free from any manner of damages, claims, or demands of whatever nature which may arise as a result of granting of this Permit or for any damage resulting from any faulty operation of this ditch crossing and/or its appurtenances.

APPENDIX 1

Budget

APPENDIX 2

Survey Map