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September 27, 2013

Susan Haughwout, Clerk
Town of Wilmington
PO Box 217
Wilmington, VT 05363-0217


Re: Davis Brook Property Owners Association, Ltd.

Dear Susan:

Enclosed please find the Bylaws of the Davis Brook Cluster Property Owners Association, Ltd., Revision 2.1 and Certification of Amendment to Bylaws and Declaration of Davis Brook Owners Association for recording in the Wilmington Land Records along with a check in the amount of \$200.00 in payment of the associated recording fees.

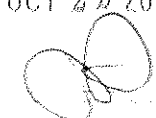
Please call me if you have any questions regarding this request. As always, thank you for your assistance.

Sincerely,


Robin Stern

RS/ams
cc Peter Vegeto (via e-mail)

10/2/13 @ 11:05 am

OCT 22 2013




**CERTIFICATE OF AMENDMENT TO BYLAWS AND DECLARATION
OF DAVIS BROOK OWNERS ASSOCIATION**

Now Come the President of the Board of Directors of Davis Brook Property Owners Association, Ltd. ("Davis Brook HOA") and the Secretary of the Board of Directors of Davis Brook Owners Association who hereby certify at a duly held meeting of the home owners of Davis Brook held in Wilmington, Vermont on October 22, 2012, the attached Amended Bylaws of the Davis Brook HOA were adopted by a valid vote of record owners holding at least sixty-seven percent (67%) of the total vote of Davis Brook owners in accordance with the Bylaws and Title 27A, Section 3-106 of the Vermont Statutes Annotated.

Dated Sept 13, 2013.

DAVIS BROOK OWNERS ASSOCIATION

Peter Vegeto J.
By: Peter Vegeto, President
Duly Authorized

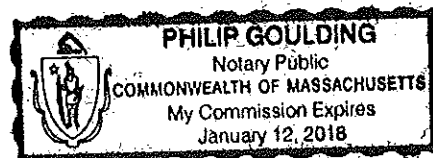
Maal J. J. J.
By: Secretary
Duly Authorized

STATE OF MA
COUNTY OF Middlesex

On this 13th day of September, 2013 personally appeared Peter Vegeto, President of the Davis Brook Property Owners Association, Ltd. who acknowledged the signing of this document was his free act and deed and the free act and deed of Davis Brook Property Owners Association, Ltd.

Philip Goulding

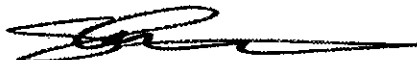
Notary Public
Comm expires:



STATE OF CT
COUNTY OF Fairfieldss

On this 17th day of September, 2013 personally appeared Mark Zabawa, Secretary of the Davis Brook Property Owners Association, Ltd. who acknowledged the signing of this document was his free act and deed and the free act and deed of Davis Brook Property Owners Association, Ltd.

Irene Ferrigno
Irene Ferrigno
Notary Public
Comm expires: 11-30-17

A stylized, handwritten signature in black ink, likely belonging to the official who received the document for recording.



Doc ID: 000148200018 Type: LAN

BK 306 PG 289-306

Bylaws
Of the
Davis Brook Cluster Property
Owners Association, Ltd.

Revision 2.1

Together with Rules and Regulations

Revision History

Date	Revision
March 31, 2001	Original revision
August 8, 2011	Updated revision proposed to Davis Brook Homeowners Association and voted upon Oct 22, 2011
March 31, 2012	Version 2.0 agreed to at the Oct 22, 2011 Davis Brook Homeowners Association Meeting
January 13, 2013	Version 2.1 agreed at the Oct 22, 2012 Davis Brook Association Meeting

ARTICLE I

Name

The name of this organization is the **Davis Brook Property Owners Association, Ltd.** (the Association)

ARTICLE II

Objective

The purpose of the Association is to:

1. Provide property owners within the Davis Mowing, Meadowbrook (Little Brook), and Two Brook neighborhoods (collectively, the "Cluster") needed services, including, but not limited to, road maintenance and trash collection,
2. Provide a forum to address and solve neighborhood problems, and
3. Enhance communications between Association homeowners and interaction on important issues of the Cluster, AHPO, and the Town of Wilmington. These Bylaws shall replace all previous bylaws, rules and regulations as the same shall apply to the Davis Brook Property Owners Association, Ltd.

To the extent that a property located within the Association is noncompliant with these Bylaws on the date of their adoption, the noncompliant property shall not be fined or subject to any enforcement action on the basis of the noncompliance until such time as the non-compliance is expanded or new construction or renovation is proposed on the noncompliant property.

ARTICLE III

Members

There shall be one member for each lot owner in the Cluster. Every member must be a lot owner. Each member shall be invoiced for Association Fees and Assessments as

determined annually by the Board of Directors (the "Board"). A member shall be declared in good standing in the Association for a given fiscal year upon payment of the annual fees and assessments for that year and any past amounts owed to the Cluster from previous years.

ARTICLE IV

Voting

Each member is entitled to one vote, either in person or by proxy given to another homeowner, in meetings of the Association. Each member with an improved lot (i.e. a residence on the lot) will be entitled to one additional vote. Voting at any meeting will be by written ballot unless waived by voice or hand vote by a majority vote of the members in attendance. When a lot is owned by multiple owners, the owners shall submit to the Secretary the name of the person empowered to vote for that lot. If no voting authority has been previously presented to the Board prior to an owners' meeting, the Board shall presume there is majority agreement amongst the multiple owners if there is no immediate protest from the other unit owners. If only one unit owner is present, that owner is entitled to cast the vote.

ARTICLE V

Fiscal Year

The Fiscal Year for the Association shall begin on October 1 and end on September 30 of the following calendar year.

ARTICLE VI

Officers & Directors

1. There shall be five Directors elected from the membership. Directors must be owners or spouses or civil union partners of owners of lots.
2. The Directors shall elect from among them Officers of the Association, who shall be a President, a Vice-President, a Secretary, and a Treasurer. All officers shall be elected from and by the Board of Directors.
3. The President shall conduct all meetings of the Association. The President will be responsible for the day-to-day activities of the Association and will have the authority to enter into contracts on behalf of the Association with the consent of the Board.
4. The Vice President shall support the President in conducting the affairs of the Association and shall assume the role of the President in his absence.
5. The Secretary shall maintain the records of the Association. The Secretary shall maintain the official list of lot owners and dwelling-unit owners and the list of persons empowered to vote for each lot. He/she will also maintain the list of persons empowered to vote, by proxy, in the absence of members.

6. The Treasurer will receive and disburse Association funds, maintain the financial records of the Association, and work with the Finance Committee to develop the Association's Budget.

8. The Officers and Directors shall perform the duties prescribed by these bylaws and by the parliamentary authority set forth in Article IX.

9. The Directors shall be elected by ballot to serve for two years or until their successors are elected. Their term of office shall begin at the close of the annual meeting at which they are elected.

10. The Officers shall be elected annually from the Board of Directors and by the Board of Directors held immediately following the Association annual meeting. Their term of office shall begin at the close of the Director's meeting following the Association annual meeting.

11. No member shall hold more than one office at a time, and no member shall be eligible to serve more than three consecutive terms (6 years) in the same office. The Executive Committee may waive this Section of the By-Laws by majority vote.

12. Vacancies in positions of Officers and Directors may be filled by a majority vote of the remaining Directors to serve the remainder of the uncompleted term.

ARTICLE VII

Meetings

1. The annual meeting of the Association shall be held on the last Saturday of September at a location to be determined annually by the Board and shall be for the purpose of electing officers and directors, receiving reports of officers and committees, adoption of the Budget for the coming year, and for any other business that may arise.

2. Special meetings may be called by the President or by the Board and shall be called upon the written request of ten members of the Association submitted to the President and/or the Board. The purpose of the meeting shall be stated in the call. At least seven days notice shall be given prior to the meeting, which notice may be by mail, facsimile, or other electronic means.

3. Lot owners entitle to cast ten percent of of the vote of the Association shall constitute a quorum.

4. Notice of any meeting shall be provided pursuant to Article X herein.

ARTICLE VIII

The Board

1. The Officers and Directors of the Association shall constitute the Board.
2. The Board shall have general supervision of the affairs of the Association between annual meetings. It shall fix the hour and place of meetings, make recommendations to the Association, and shall perform such other duties as are specified in these bylaws. The Board shall be subject to the orders of the Association, and none of its acts shall conflict with action taken by the Association.
3. Unless otherwise ordered or waived by the Board, regular meetings of the Board shall be held during the first month of each quarter. Special meetings of the Board may be called by the President and shall be called upon the written request of three members of the Board.
4. At the regular quarterly meeting of the Board (the Board) held in the third quarter (April, May, June) of each year, the Board shall appoint a Nominating Committee of three to five members. It shall be the duty of this committee to nominate candidates for the offices to be filled at the annual meeting of the Association in September. The nominating committee shall report to the Board prior to the annual meeting. At the annual meeting in September, additional nominations from the floor shall be permitted.
5. Quarterly meetings may be waived by majority vote of the Board.
6. 50% of the votes of the Board shall constitute a quorum. If a quorum is present at the time a vote is taken, the affirmative vote of the majority of the Board members present is required unless a greater vote is required by law or under these bylaws.
7. The Board may fill Board vacancies for the unexpired term of any Board member, or if earlier the next regularly scheduled election of Board members.
8. Instead of meeting the Board may act by unanimous consent documented in a record signed by all its members only to undertake ministerial action or implement actions previously taken at a meeting of the Board.
9. Board meetings shall be open to the Association membership except during executive session as defined under Title 27A, Section 3-108(b) as the same may be amended
10. The Board shall provide reasonable opportunity for Association members to comment at each Board meeting regarding any matter affecting the Association.
11. Unless Board meetings are included in a schedule given to the membership or the meeting is an emergency meeting, notice of each Board meetings shall be provided by the Board to each Board member and the Association membership.

ARTICLE IX

Budget

1. The Board shall annually adopt a proposed budget for ratification by the members. Not later than 30 days after the Board has adopted a proposed budget, it shall provide to the membership a summary of the budget, including any reserves, and a statement of the basis on which any reserves are calculated and funded. Simultaneously, the Board shall provide notice of a meeting to ratify the budget not less than 10 days or more than 60 days after providing the budget summary to the members.

2. The budget shall be ratified at that meeting unless a majority of members present reject the budget, whether or not a quorum is present at the meeting. If the proposed budget is rejected, the last budget ratified by the members continues until a subsequent budget is ratified.

3. The Board may at any time propose a special assessment, following the procedure for ratification described in paragraphs 1 and 2 above.

4. If the Board determines by a two-thirds vote that a special assessment is necessary to respond to an emergency, the special assessment is effective immediately in accordance with the vote. Notice of such emergency special assessment is to be provided promptly to all members.

ARTICLE X

NOTICE

1. Notice of the date, time and place of any annual or special meeting shall be provided to members not less than 10 days or more than 60 days prior to the meeting date.

2. Required notices shall be provided to any mailing or electronic mailing address a member designates. If a member has not designated an address the Association may deliver notices by (i) hand delivery to each unit owner, (ii) hand delivery, US first class mail postage paid or commercially reasonable delivery service to the mailing address of the unit, (iii) electronic means if the member has provided an electronic address, or (iv) any other method reasonably calculated to provide notice the member, including but not by way of limitation, notice provided on the Association website.

ARTICLE XI

Committees

1. A Finance Committee composed of the Treasurer and two other homeowners, or spouses or civil union partners of homeowners, shall be appointed by the President

promptly after the annual meeting. It shall be the duty of this committee to work with the Treasurer to track the finances of the Association. Prior to the end of the fourth quarter of each year (August), the finance committee shall prepare a budget for the coming fiscal year, beginning the first day of October, and submit the Budget including recommended fees and assessments, if any, to the membership at the annual meeting in September. The Budget, as adopted will be divided by the number of members to determine the annual assessment for the coming fiscal year. The Finance Committee may from time to time submit amendments to the budget for the current fiscal year, which may be adopted by a majority vote of the Board and ratified by the membership in accordance with these bylaws.

2. A Streets & Roads Committee of three members shall be appointed by the President promptly after the annual meeting. It shall be the duty of this committee to review the condition of streets within the Cluster and make recommendations to the Board regarding the maintenance and repair of the streets.

3. An Auditing Committee of three members shall be appointed by the President at the Board's second quarter meeting. It will be the duty of this committee to audit, with assistance from a Certified Public Accountant, the Treasurer's accounts at the close of the fiscal year and to report at the annual meeting.

4. A By-Laws Committee comprised of three members shall be appointed by the President promptly after the Annual Meeting. It shall be the duty of this Committee to recommend to the Board, and ultimately to the Membership, changes in the By-Laws.

5. A Social Committee of three members shall be appointed to plan and facilitate neighborhood/Cluster functions at the Annual Meeting and at other times as scheduled.

6. Such other committees, standing or special, shall be appointed by the President as the Association or the Board shall from time to time deem necessary to carry on the work of the Association. The President shall be an ex officio member of all committees except the Nominating Committee. The President shall appoint a chairperson of each committee. A committee chairperson or any other member of a committee may be removed by majority vote of the Board.

ARTICLE XII

Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Association may adopt.

ARTICLE XIII

Amendment of Bylaws

These bylaws may be amended at any annual meeting of the Association by a two-thirds vote of those in attendance or by proxy or by absentee ballot, provided that the proposed amendment has been submitted in writing to all members at least 15 days before the meeting.

ARTICLE XIV

Rules and Regulations

In furtherance of the goal to provide a desirable place to own, vacation, and socialize, and also to promote the common benefit and enjoyment of the residents as well as to protect our property values, the following rules and regulations have been adopted.

These rules and regulations are meant to provide you with guidelines and information relative to conduct at Davis Brook which is in the best interest of all. The Davis Brook Board expects the need for enforcement of these rules and regulations will be rare and judgment fair.

A Right to Peaceful Enjoyment

1. No excessive noise or annoyance which results in the disturbance of the peace and privacy of fellow homeowners such as power tools, chainsaws, lawnmowers, etc. shall be permitted between the hours of 11:00 pm and 8:00 am. At all times, however, please be considerate of your fellow residents.
2. No snowmobiles shall be operated in Davis Brook with "after market" pipes or loud exhaust at any times. Snowmobiles may only operate within Davis Brook between the hours of 8:00 AM and 11:00 PM.
3. Children at play shall be supervised at all times such that they do not disturb neighbors, endanger themselves or others, or otherwise interfere with the rights of residents to peaceful enjoyment of residences and the common areas.
4. No prohibited trash items shall be deposited in the trash collection area or other common areas.

B. Reasonable Property Maintenance

To support property values of Davis Brook property owners, all property owners are required to maintain all land and building structures in a reasonable and sufficient manner. This includes but not limited to the following:

1. Lawns should be cut periodically.
2. Siding and decking should be kept free of dirt and mold
3. All painted or stained surfaces should be repainted when needed.
4. Fallen trees and dead vegetation should be discarded
5. Trash should be removed.

Property should generally appear to be properly maintained. The Davis Brook Association reserves the right to address properties that have the appearance of abandonment. Should Davis Brook Association believe such a situation exists, the property owner will be notified in writing the the President of Davis Brook and given 90 days to resolve the situation. Failure to resolve the problem could result in Davis Brook Association placing fines on the property owner or taking legal actions.

C. New Construction/Exterior Alterations/Additions/Painting/Repairs/Signs

All new construction, exterior alterations and additions must be approved by the Davis Brook Architectural Committee.

D. Owner/Rental/Guest Compliance

1. Any violation by a renter, guest or invitee of any owner will result in enforcement being brought against the owner and the owner's property.
2. The Association may abate a nuisance created by a tenant, evict a tenant, or enforce any rights against a tenant which the landlord-owner could have lawfully exercised against said tenant.
3. Any lease by an owner whether short term or long term must include and incorporate by reference a set of these Rules and Regulations.

E. Business Use of Residence

All Davis Brook homes are strictly limited to single family residential use. The Association reserves the right to inspect property with prior written notice, including but not limited to the interior of homes, if conditions exist that suggest a home is being used in violation of this provision. The Association may assess a continuing fine against an owner who denies access to a property to inspect for violations under this paragraph.

F. Parking/Motor Vehicles

1. Motor vehicles must be parked in the owner's driveway or in approved emergency parking or common parking areas. Motor vehicles parked in the emergency or common parking areas may do so for no longer than 72 hours unless approved by the Road Committe Chair. Vehicles at no time shall be parked in such a manner as to impede access to common areas or neighbors' driveways.
2. Vehicles shall not be stored anywhere on the common area. A vehicle is "in storage" if it has been in the same location for a continuous period of more than 72 hours without prior approval of the Road Committee Chair.
3. Abandoned or inoperable vehicles of any kind shall not be stored on any portion of the common elements or on the owner's property, unless in an enclosed garage. An "abandoned" or "inoperable" vehicle shall be defined as any vehicle that can not be driven under its own propulsion or does not contain a propulsion system or is not currently registered or inspected.

4. Owners of abandoned, inoperable, or prohibited vehicles as described above will be notified of such by the administrative office. If the named vehicle is not removed within 30 days of notice, the landowner will be assessed a daily fine until said vehicle is removed.
5. Non-emergency engine maintenance or mechanical repairs to vehicles is prohibited anywhere on common areas.
6. Residents shall be liable for damage to common driveways, landscaping or other common areas caused by their vehicles or by vehicles operated by their guests, invitees, employees, or contractors.
7. Residents and guests shall operate their vehicles at a safe speed at all times. The speed limit within Davis Brook is 20 mph.
8. Motor homes, campers, 5th wheels, etc. are not allowed to be used as housing at any time and when temporarily on site, every reasonable effort should be made to keep them out of the sight of the street and neighbors' view.
9. A report of a parking violation must be in writing and signed by the complainant. It should contain the location, date, and time of the violation as well as the license plate number, make, model and color of the offending vehicle and submitted to the Road Committee Chair who will follow up to confirm said violation.

G. Pets

1. Pets in Davis Brook are limited to dogs, cats or customary household pets. No other animals, livestock or poultry of any nature may be raised, bred or kept on any property.
2. Pets shall not be tethered to any fence, tree, shrub, stake, post, building, etc. in such a way as to permit the pet access to any common area or to any neighboring property or road.
3. Pets shall not be left outside when no one is home, and they shall not be kept outside overnight or for extended periods of time.
4. The pet owner shall prevent the pet from making loud noises or otherwise behaving in such a manner as disturbs neighbors of rest or peaceful enjoyment of their residence or common area.
5. The pet owner shall prevent the pet from urinating such that common areas of lawn, shrubs or other landscaping are damaged. Solid waste deposited on the lawn or other landscaping, driveways, or other common areas must be removed immediately by the person responsible for the pet.
6. Any owner who owns or is in control of a pet or has a tenant, guest or invitee who

owns or controls a pet within Davis Brook shall be liable for any damage caused by the pet to the property of another resident or to the common areas.

7. Any owner who keeps or maintains a pet within Davis Brook or allows one to be kept upon any portion of Davis Brook, shall be deemed to have agreed to indemnify the Association, each of its members from any loss, claim or liability of any kind or character whatsoever arising by reason of keeping or maintaining such pet within Davis Brook.

I. External Storage

1. Residents shall not place trash outside residences at any time unless it is placed in a trash bin and out of sight of other property owners. Trash strewn about owners' property, or common lands, by dogs and/or wild animals is the responsibility of the owners. If not picked up and removed within 24 hours of written notice, Davis Brook will pick up and remove and assess the lot owner the reasonable cost of removal and transport. If trash is found on a lot it is deemed the owners' responsibility.

2. Clothes lines, equipment or other stored articles shall be kept within the confines of the owner's property and every reasonable effort should be made to conceal them from the view of neighboring residences and streets.

3. Non-seasonal storage of boats, snowmobiles, and lawn equipment shall be concealed from the view of neighboring residences and streets as much as possible.

J. Enforcement

1. Any violation of these Bylaws, Rules and Regulations, or Architectural Controls shall be reported to the President of the Davis Brook Homeowners Association in writing and shall be signed by the reporting party. The President shall, after confirming said violation exists, issue a Notice of Violation to the owner which shall specify the offence committed, the date by which it must cease, and the fine that will be imposed in the event that compliance is not obtained.

2. In the event that voluntary compliance is not obtained on or before the date set forth in the President's Notice of Violation, then a date for a hearing before the Board of Directors shall be set to grant the owner the opportunity to contest the violation or seek modification of the fine. Notice of the hearing date shall be mailed to the owner no later than 10 days prior to the hearing date. In the event that the owner fails to attend the hearing or unsuccessfully contests the violation, a fine shall be assessed by the Board of Directors against the owner's property and a lien shall be placed upon the said property and may be foreclosed by the Association.

3. Any non-enforcement by the Association, or delay in enforcement shall not be construed as a waiver of enforcement, or consent to delay enforcement.

4. The Davis Brook Board of Directors may also take such other legal action as it deems appropriate, including actions for injunctive relief.

5. In any action by the Association for injunctive relief, to place a lien or to foreclose a lien pursuant to this section, the Association may collect reasonable attorney's fees and costs.

6. During any period that common charges, special assessments or fines remain unpaid the Board of Directors may suspend an owner's right to use the common elements of the association. c. Deny an owner the issuance of building permits

ARTICLE XV

Architectural and Construction Controls

A. ARCHITECTURAL CONTROL POLICY

The policy of architectural control in Davis Brook is to preserve and enhance property values, amenities, and opportunities in the community contributing to the personal and general health, safety and welfare of residents and owners. The community has a general character, achieved from its housing designs, open space, wooded area and amenities, which shall be preserved and enhanced. It is the responsibility of the Architectural Control Committee ("ACC") to implement this policy through the reasonable regulation of the building and landscaping practices. The purpose of these rules is to standardize architectural review practices, to provide adequate notice of this policy and to insure fair equitable enforcement of architectural restrictions.

B. NEW APPLICATION PROCEDURES / RULES FOR BUILDING

1. Application for Building Permits for new construction and / or alterations must be obtained through the ACC. Application includes elevations.

2. All Davis Brook dues and assessments must be paid in full prior to issuance of a Davis Brook Building Permit.

3. Applicants shall be required to commence work on any approved project within six (6) months of the notice of decision and to complete the work within one (1) year, unless the applicant seeks and is granted an extension to these time requirements by the ACC. Failure to comply with this provision will render the Building Permit null and void.

4. Building Permits issued by the ACC are valid for a period of twelve (12) months from the date of issue. Construction must be scheduled so as not to leave any partially completed project for any extended period. Such projects become a visual blight on the community and are often the sites of hazard and nuisance.

5. Failure to complete construction within the 12 month permit time frame will result in cancellation of the permit and necessitate filing a new application. All work must cease on the construction until a new permit is issued.

6. Nothing herein shall affect any Lot owner's responsibility to obtain all necessary state and local permits.

C. FINES AND PENALTIES

Non-compliance to the Rules and guidelines for building and/or failure to notify and receive approval from the ACC for new construction, renovations, improvements and maintenance items will result in the following minimum fines and penalties:

- 1) \$ 150.00 fine for non-approved changes to application and approved plans.
- 2) \$ 250.00 fine for failure to notify and receive appropriate ACC Building Permit prior to construction.

D. APPEAL PROCEDURES

No action affecting an application for a Building Permit will be taken by the ACC except in accordance with the following procedures:

1. Submission. The ACC will act only upon completed submissions, with all necessary data attached and properly filled out. If a submission is incomplete, the Architecture Committee will notify the applicant as promptly as possible, and request that a completed submission be made. Notice that a submission is incomplete shall not be construed as a denial of the application. As noted above, an incomplete submission will not be subject to any review, but rather returned to the owner for completion.

2. Notice. If an application is approved, a building permit will be issued to the owner. If an application is rejected, the ACC shall serve the owner with the notice of rejection, together with the reasons therefore. Service shall be made by first class mail, postage prepaid, sent to owner's last address on the books of Davis Brook. Any owner may re-submit any application with new or different information, seeking a permit or approval from the ACC.

3. The notice denying the application shall state that the owner has a right to a hearing to be held before the ACC. The notice shall contain an invitation to the owner to request the hearing and produce statement, evidence and witness on his behalf. The owner shall be required to notify the ACC in writing within fourteen (14) days of his election to have a hearing. Failure to make such election, in writing, in the time prescribed, can be conclusively deemed to be a waiver of the right to a hearing. In the event the hearing is requested as outlined herein, the ACC shall schedule such hearing within fourteen (14) days of receipt of the request, and shall notify the owner of the time and place of the hearing by first class mail, sent to the owner's last address on the books of Davis Brook.

4. The hearing shall be held in open session pursuant to the notice affording the owner a reasonable opportunity to be heard. The ACC may deliberate in Executive Session. The minutes of the hearing shall contain a written statement of the results of the hearing. The committee shall issue a determination within fourteen (14) days of the hearing, which determination shall be served upon the owner by mailing

same, by first class mail, postage prepaid, to the owner's address on the books of Davis Brook. The determination shall be rendered in the discretion of the Committee, and shall express the decision of a majority of the members of the Committee.

5. Following a hearing, an owner shall have the right to appeal the decision to the full Board of Directors. To perfect this right, a written notice of appeal must be received by the President or Secretary of Davis Brook within ten (10) days after receipt of the decision of the ACC. The Board of Directors shall set the appeal for hearing within a reasonable time, at a place convenient to the Board. The Board shall review the decision of the ACC to insure conformance with the applicable covenants binding upon the property, the rules for building, and other pertinent rules and regulations of the Association.

F. GUIDELINES FOR BUILDING

Every Davis Brook Building Permit shall be conditional upon compliance with the approved plans and specifications, and with the following guidelines which govern the building process.

In the event of any conflict, the most restrictive rules will apply to all permitting.

1. Other than for preliminary site engineering, no clearing or excavating may be done before receiving a Davis Brook Building Permit. Under special circumstances the ACC may approve clearing and excavation prior to the issuance of a building permit. Burning of brush or building debris is not permitted without a permit from the Town Fire Chief.
2. Dwelling shall be at least 1,100 square feet exclusive of any attached garage.
3. Blasting may be undertaken only after a Davis Brook Building Permit has been issued. Blasting mats should always be used and adherence to any blasting governmental regulatory requirements should always be followed.
4. Each driveway must have a 15 inch by 30 foot culvert, or larger, if required. Culverts must be maintained at the property owner's expense. Head walls shall be built at each end to prevent erosion of the driveway and/or Davis Brook roads. Access to town roads must be approved/permitted by town and meet all town requirements.
5. All trees, stumps, and building debris must be removed from the site as they accumulate and may not be placed on any other Davis Brook land. Such debris, if not removed in a timely manner, will be taken away by Davis Brook at the owner's and/or builder's expense after written, registered mail notification.
6. Decks must be compatible in design, material and color with dwellings to which they are attached. Approval of certain other modifications may be contingent upon

completion of a deck and railing (such as new exterior doors which open onto such a deck).

7. Storage sheds generally are to be located to the rear of dwelling units or as complimentary to the lot as possible. They must be compatible with contiguous buildings in design, materials and color, and they must be of durable construction..
8. Garages and carports must be designed to be integral parts of the buildings if they are attached. Roof slopes and general configurations of attached and free standing garages and pole barns must be in harmony with primary home.
9. Driveways and/or parking pads must have a gravel base at least sufficient so as not to be rutted by vehicles used in wet weather. Gravel, crushed stone are acceptable surfaces. Driveways should be of adequate, but not excessive, width for turning and backing. Those descending from road grade should include a rise at road edge to keep run-off on the road and a swale in front of the garage, carport or parking area to divert driveway run-off.
10. Attic ventilators or other mechanical apparatus above the roof should be as small in size as possible and should be painted to match the roof. They should be located, generally, on the least visible side of the roof, and not extend above the ridgeline.
11. Metal and masonry chimney and wooden flue enclosures must be compatible in design, locations and color with the existing house. All exposed metal chimney(s) are to be chased to within two (2) feet of the chimney cap.
12. Exterior lighting must be located and directed and of such height and intensity that it does not adversely affect neighboring properties. Fixtures must be complimentary in design.
13. Retaining walls may be used to preserve trees, improve drainage and define area, but should be kept as low as possible. Local rock or wood treated to prevent rot are among acceptable materials.
14. Gutters and downspouts must match the color of the building to which they are attached. Out flowing water should spread out at ground level to prevent erosion and should not flow unrestricted onto other properties, the public roads or common land.
15. Except where Davis Brook Board and the ACC feel a different style is already established, the harmony of designs will be enhanced by clear simplicity. As a general rule, applicants and builders in all sections of Davis Brook are encouraged to give special attention to both the letter and spirit of these guidelines and to utilize the services of qualified professionals in doing so.
16. It's recommended that only poured concrete foundations be utilized, not block

foundations due to the severity of the elements. It is also recommended that no more than two (2) feet of foundation shall be left exposed above finished grade. The committee recommends that any exposed foundation be appropriately maintained to its original condition.

17. It is recommended that propane tanks (and/or exterior above ground storage tanks) be properly screened from road and neighbor's view. Location of underground storage tanks must be indicated on plot plan and approved by the ACC or its designee.

18. Color choices for houses must be in keeping with the present tone of the community. Muted earth tones are most consistent and harmonious in Davis Brook, and they are categorically acceptable.

G. WATER/SEWER CONNECTIONS, INSTALLATION AND REQUIREMENTS

1. Water and sewer connections require the supervision and participation of the Cold Brook Fire District.

2. The Davis Brook Road Committee must be notified in advance of all road crossing to tap water mains or sewer.

H. UNSAFE STRUCTURES

1. All buildings or structures that are hereafter deemed unsafe, unsanitary or constitute a fire hazard or are otherwise dangerous to human life, public welfare, or which involve illegal or improper use, occupancy or maintenance, shall be deemed unsafe buildings or structures. All buildings or structures deemed unsafe shall be taken down and removed or made safe and secure as the Davis Brook Board of Directors deems necessary and as provided herein. Except as provided by state or municipal building code or zoning law or regulation, the Davis Brook Board or its designated agent shall determine whether any building or structure is deemed unsafe.

2. If an unsafe condition is found to exist in a building or structure, the Davis Brook Board of Directors or its designated agent shall cause to be served by certified mail return receipt requested at the address of the owner of record a written notice describing the building or structure deemed unsafe and specifying the required repairs or improvements to be made to render the building or structure safe and secure, or requiring the unsafe building or structure or portion thereof to be demolished within a stipulated time. Such notice shall require the owner thus notified to declare, within seventy-two hours of receipt of said notice, acceptance or rejection of the terms of that order.

3. Upon refusal or neglect of the person served with an unsafe notice to comply with the requirements of the order to abate the unsafe condition, the Davis Brook Board of Directors shall institute the appropriate action to remedy the unsafe condition without further notice to the owner with cost for abating the unsafe condition being collectible against the unsafe property in the same manner as proscribed for delinquent assessments.

4. Any building or structure that is non-conforming to any municipal zoning regulation or regulation of the Davis Brook and is damaged by fire, explosion, flood or other act of God may be restored to the same dimensions, floor area and location existing immediately prior to such damage or destruction, provided such restoration is completed within two years of such damage or destruction.

I. SEVERABILITY

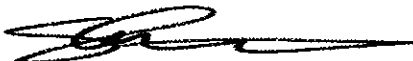
In the event that any rule or regulation herein is determined to be unlawful for any reason, all remaining rules and regulation shall remain in full force and effect. Local, State and Federal laws may be applicable in some matters, in this event the most stringent will apply.

ARTICLE XVI

Fines

The Association shall administer fines in a objective and reasonable standard The Board shall establish a schedule of fines.

Received for Record at Wilmington, VT
On 10/02/2013 At 11:05:00 am

A handwritten signature in black ink, appearing to be a stylized name, possibly "John" or "Jonathan", written over a horizontal line.