

— T H E T O W N O F —
LOST RABBIT
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RULES AND REGULATIONS
for
the Residential Neighborhood of Lost Rabbit

THIS DOCUMENT REPRESENTS EXISTING AND NEWLY ADOPTED RULES AND REGULATIONS WHICH GOVERN THE RESIDENTIAL NEIGHBORHOOD OF LOST RABBIT. THEY BY NO MEANS REPRESENT THE ENTIRE SET OF GOVERNING DOCUMENTS FOR THE RESIDENTIAL NEIGHBORHOOD OF LOST RABBIT. EACH OWNER IS RESPONSIBLE FOR SECURING A COPY OF THE CCRs TO ENSURE FULL COMPLIANCE. IF YOU HAVE A QUESTION PERTAINING TO YOUR PARCEL ABOUT A PERMITTED OR PROHIBITED USE, INCLUDING NOT ONLY THE RULES LISTED BELOW, BUT ANY RULES NOT COVERED IN THIS DOCUMENT, IT IS YOUR RESPONSIBILITY TO ENSURE YOU ARE COMPLIANT. THEREFORE, YOU SHOULD CONTACT COMMUNITY MANAGEMENT AT INFO@CMGT.ORG TO CONFIRM.

THE FOLLOWING RULES AND REGULATIONS COME FROM ARTICLE 11 OF THE DECLARATION OF CHARTER, EASEMENTS, COVENANTS and RESTRICTIONS (the CCRs) FOR THE RESIDENTIAL NEIGHBORHOOD OF LOST RABBIT:

Section 11.2 Prohibited Uses.

- (a) Nuisances. No nuisance or other use that creates an unreasonable disturbance shall be permitted on any Parcel. The Association and/or Founder may from to time define and determine unacceptable uses.
- (b) Insurance. Nothing shall be done or kept on any Parcel or the Commons that will increase the rate of, or result in cancellation of, insurance for the Commons or any other Parcel or its content, without the prior written consent of the Association.
- (c) Soliciting. The Association may regulate or prohibit soliciting within the Neighborhood.
- (d) Time Sharing. No time-sharing ownership of Parcels is permitted without the Association's approval. For this purpose, the term "time-sharing ownership" shall mean a method of ownership of an interest in a Parcel under which the exclusive right of use, possession or occupancy of the Parcel circulates among the various owners on a periodically reoccurring basis over a scheduled period of time. Leasing a building or ownership of a Parcel by a corporation, partnership or other entity or by not more than four individuals or married couples will not normally be considered time-share ownership.

Section 11.4 Leasing. Residential Parcels or separate Residential Units within a Parcel, such as an outbuilding, may be rented by the owner, subject only to applicable law and to reasonable rules and regulations as promulgated by the Association, which may be modified from time to time. The

Association may establish a minimum lease term of at least six months. The Association may prohibit the leasing of any Residential Unit while the Owner is in default in the payment of Assessments. If the Residential Unit is leased in violation, the Association may attach rentals and may evict the tenant as if it were a tenant violation under paragraph 11.9(d) and related sections.

Section 11.5 Pets. Pets may be kept by an Owner on his Parcel but only if such pet(s) do not cause an unsafe condition or unreasonable disturbance or annoyance within the Neighborhood. Each Owner shall be held strictly responsible to immediately collect and properly dispose of wastes and litter of his pet(s). The Association reserves the right to regulate the number, type and size of pets (specifically including particular breeds of dogs deemed to create unreasonable danger); to prohibit the keeping of animals other than customary household pets, which it may define, acting reasonably; to designate specific areas within the Commons where pets may be walked and to prohibit pets on other areas; to require pets to be on a leash; and to restrict the rights of tenants to keep pets.

THE FOLLOWING RULES WERE ADOPTED BY THE NEIGHBORHOOD ASSOCIATION BOARD IN ACCORDANCE WITH SECTION 11.7 OF THE CCRs.

The Lost Rabbit Neighborhood Association, Inc., a Mississippi nonprofit corporation (the “**Association**”), through its Board of Directors (the “**Board**”), pursuant to Section 11.7 of the Declaration of Charter, Easements, Covenants and Restrictions for the Residential Neighborhood of Lost Rabbit, dated June 1, 2005 and recorded in the office of the Chancery Clerk of Madison County in Book 1932 Page 0372, as supplemented and amended (the “**Declaration**”), hereby adopts the following Rules and Regulations to address specific issues arising within the community:

1.01 Satellite Dishes and Antennae:

- (a) Each resident of the Property will avoid doing or permitting anything to be done that may unreasonably interfere with the television, radio, telephonic, electronic, microwave, cable, or satellite reception on the Property.
- (b) No antenna, receiving or transmitting tower, or satellite or microwave dish shall be placed in or upon any part of the Property except as follows: (1) reception-only antennae or satellite dishes designed to receive television broadcast signals, (2) antennae or satellite dishes that are one meter or less in diameter and designed to receive direct broadcast satellite service, or (3) antennae or satellite dishes that are one meter or less in diameter or diagonal measurement and designed to receive video programming services via multipoint distribution services (collectively, the "**Permissible Antennae**") are permitted if located (a) inside the structure (such as in an attic or garage) so as not to be visible from outside the structure, (b) in a fenced-in yard so that no part thereof is visible at any location outside of the Lot upon which it has been installed, or (c) attached to or mounted on the rear wall of a Building either just below the eave or mounted on the fascia.
- (c) If a Permissible Antenna cannot be installed in compliance with the foregoing without precluding reception of an acceptable quality signal, the Owner may, subject to the prior written consent of the Design Review Board, install the Permissible Antenna in the least conspicuous location on the Lot where an acceptable quality signal can be obtained.

2.01 Window Coverings and Treatments:

- (a) The only window coverings that may be affixed to the interior of any window visible from any Street, Alley or other portion of the Property are drapes, blinds, shades, shutters or curtains. The side of such window coverings that is visible from the exterior of any Improvements must be white, off-white, beige or tan in color. Wooden blinds or shutters may be a natural wood color. All window coverings visible from the exterior of any Building or other structure on a Lot shall be uniform in color.
- (b) Notwithstanding the foregoing, the Design Review Board may, from time to time, approve additional colors as acceptable for portions of the window coverings visible from Streets, Alleys, Common Areas or other Lots.
- (c) In no event shall an Owner or Builder affix a window screen to the exterior of any window which faces a Street frontage.
- (d) No tinting or reflective coating may be affixed to any window that is visible from any Street, Alley or other portion of the Property, without the prior written approval of the Design Review Board. Mirrored coatings are prohibited.

3.01 Garbage Containers:

- (a) Household garbage containers may not be placed at the Street or Alley for collection before 12:00 pm on the day before trash pickup, and all garbage containers shall be removed from the Street or Alley within 24 hours of trash pickup.
- (b) Except when placed at the Street or Alley for collection, garbage containers shall be stored within the garage, a fenced-in enclosure, or in a location behind a Building such that the garbage containers are screened and not visible from the Street at any angle. Screening may be achieved with trees and bushes, approved fencing, or any combination thereof; provided, however, that trees and bushes used for screening shall be evergreen (*i.e.*, shall maintain sufficient leaf coverage to provide screening year-round) and shall be of sufficient size and maturity at the time of plating to fully screen the garbage container(s).

4.01 Exterior Lights:

- (a) Exterior lighting shall be approved by the Design Review Board as part of the architectural and design review process prior to commencement of construction. If a Member desires to install exterior lighting on a Lot after commencement of construction, the Member shall seek written approval from the Design Review Board prior to the installation thereof.
- (b) In addition to such other rules and regulations as the Design Review Board may promulgate from time to time, the following rules and regulations shall apply to exterior lighting on any Lot:
 - (1) All exterior light fixtures shall be architecturally integrated with the structure to which such light fixture is attached.

- (2) Security lighting, including motion activated floodlights, shall be located on the soffit of the eave, and shall be programmed to be operative only in emergencies.
- (3) The following are expressly prohibited: (i) mercury vapor lights; (ii) colored light bulbs; (iii) lighting aimed at, or which intrudes upon, surrounding Lots and/or Common Areas.
- (4) Lanterns may be approved by the Design Review Board, but only if the same are gas lanterns and are kept in working order at all times. If a gas lantern should become damaged or cease to function, it shall be immediately repaired and returned to good working order.
- (5) String lighting and path lighting shall be approved in writing by the Design Review Board prior to the installation thereof. String lighting shall be permitted only within courtyard areas.

5.01 Firearms: The discharge of any firearm within The Town of Lost Rabbit is expressly prohibited; provided, however, that it shall not be a violation of these rules and regulations to discharge a firearm when the same is necessary for the defense of person or property against imminent and grave threat of harm in accordance with and subject to any and all local, state and federal laws and regulations governing same.

6.01 Outdoor Furniture, Equipment and Decorations:

(a) Furniture:

- (1) Furniture placed on a Lot outside of a Building or other structure, other than inside a fully enclosed & screened yard: (a) shall be durable in nature, and (b) shall not be made of plastic.
- (2) Lawn chairs, beach chairs, card tables, and any other collapsible furniture placed on a Lot outside of a Building or other structure, other than inside a fully enclosed and screened yard, shall be stored when not in use so that the same is not visible outside of the subject Lot.

(b) Decorations:

- (1) Placement of decorations, sports or play equipment or other structures of personal property shall not be permitted on the exterior portions of any Building or Lot without the prior written approval of the Design Review Board; provided however; that a reasonable number of holiday and religious decorations may be displayed on a Lot for up to thirty (30) days prior to the holiday or religious observance, and up to fourteen (14) days thereafter.
- (2) Except for holiday and religious decorations displayed in accordance with the preceding sentence, yard ornaments and decorations are prohibited in the Neighborhood and shall not be placed on the exterior portion of any Lot (not including any fenced-in yard which is not visible from any Street, Alley or other Property). Notwithstanding the foregoing, the Design Review Board may establish rules and

regulations permitting no more than three (3) yard ornaments per Lot, which rules and regulations shall prescribe standards for determining whether a particular type of yard ornament is consistent with the architectural and aesthetic character of the Neighborhood. In no event shall the Design Review Board approve plastic yard ornaments, gazing balls, spinners, or other novelty yard ornaments. Nothing herein shall be construed to regulate the placement of potted plants, provided that such plants are natural (as opposed to artificial), in keeping with the architectural character of the Neighborhood, and are appropriately maintained and tended to.

- (c) Sports and Play Equipment: Sports and play equipment is permitted within a fenced-in yard. One (1) basketball goal is permitted outside of a fenced-in yard, but the location of the basketball goal must be approved prior to installation. In the case of a Building which has a garage that is accessed from an Alley, the basketball goal must be placed in the rear of the Building. In the case of a Building, which has a garage that is accessed from a public street, the basketball goal may be placed no more than ten (10') feet from the front of the garage. Basketball goals and/or backboards shall not be mounted directly on a Building. Nothing herein shall be construed to prevent the Design Review Board from promulgating additional regulations relative to sports and play equipment.
- (d) Maintenance: Permitted furniture, decorations, and sports and play equipment shall be kept in good condition at all times. If the Board determines that any decoration, sports or play equipment has fallen into disrepair, the Board shall require that the same be repaired or removed within a reasonable time, not to exceed five (5) business days.

7.01 Garage Sales: Garage sales shall not be permitted on any Lot; provided however, that Founder, during the Development Period, and the Board, upon termination of the Development Period, may allow no more than one (1) community garage sale per calendar year in a portion of the Common Area determined by Founder. The time, place, and method of notice to the Members of a community garage sale shall be at the discretion of Founder or the Board (as applicable).

8.01 Golf Carts; Mini Bikes; Go Karts and All-Terrain Vehicles: The use and/or operation of minibikes, go karts and all-terrain vehicles and other similar vehicles is prohibited within the Property; provided, however, that the use and/or operation of golf carts is permitted within the Property, subject to applicable laws, ordinances and governmental regulations.

9.01 Home Occupations:

- (a) To the extent allowed under applicable zoning and land use ordinances and regulations of governmental authorities with jurisdiction over the Lots, no more than one (1) home occupation involving discrete business activities may be conducted on each Lot, provided that each of the following conditions is met:
 - (1) no sign, advertisement or notice of any type or nature whatsoever may be erected or displayed on the Lot or on any Building located on the Lot which in anyway advertises or references the home occupation;
 - (2) the home occupation does not constitute a nuisance or create an inconvenience of any kind to the Members of The Town of Lost Rabbit, including, without

limitation, traffic and/or parking congestion, as determined by the Board in its sole and unqualified discretion;

- (3) the home occupation does not involve regular visits to the Lot or Building by clients, customers, co-workers, associates, or other persons relative to such home occupation, or door-to-door solicitation of residents of the Property; and
- (4) the business activity is consistent with the residential character of the Property and does not otherwise violate Section 11.2 of the Declaration.

- (b) The Board may restrict any business activity that interferes with the enjoyment or residential purpose of the Property by the Members and their tenants, as determined by the Board in its sole and unqualified discretion.
- (c) Notwithstanding anything herein to the contrary, Founder and any Builder approved by Founder may utilize a Lot as a show house or model home. Furthermore, Founder may utilize a Lot as a sales office for homes being constructed within the Property.

10.01 Noise: No exterior speakers, horns, whistles, bells or other sound transmitting, generating or amplifying devices, other than security devices used exclusively for security purposes, shall be located, used or placed on any Lot in such a manner that the sound emitted is audible beyond the boundaries of such Lot.

11.01 Solar Thermal Collector Panels or Devices: The Board recognizes the benefits of solar energy as an alternative source of electrical power for residential use. At the same time, the Board desires to promote and preserve the architectural and aesthetic quality of the Property and the improvements thereon, and to protect property values for the benefit of all persons with an interest therein. Accordingly, solar thermal collector panels may be installed on any Lot within the Property subject to the following conditions: (a) that, prior to the installation thereof, the Design Review Board has reviewed the plans and specifications for such solar thermal collector panels and provided written approval of the same; and (b) the solar thermal collector panels are installed in a manner such that they are not visible from any location on the Property outside of the Lot upon which they have been installed.

12.01 Swimming Pools and Tennis Courts:

- (a) No swimming pool or tennis court shall be constructed on any Lot within the Property.
- (b) Notwithstanding the foregoing, a Member may construct one (1) in-ground swimming pool on a Lot, subject to the following conditions:
 - (1) that, prior to commencement of construction, the Design Review Board has reviewed the plans and specifications for such in-ground swimming pool and has approved the same in writing;
 - (2) the pool, together with any equipment or appurtenance thereof (including, without limitation, pumps, drains, slides, and diving boards), is completely screened, such that it is not visible from any location on the Property outside of the Lot upon which it is constructed and such screening mitigates any and all noise associated with the use and maintenance of such swimming pool.

- (c) Pool decks shall not be closer than three (3') feet from any Lot boundary, and the owner of any Lot with an approved pool shall install and maintain landscaping between the pool deck and Lot boundaries.
- (d) No pool shall drain onto any Property adjacent to the Lot upon which such pool is located, nor shall any pool drain into street curbs or landscape beds. Altering the drainage system of a pool to drain in a manner other than as specifically approved by the Design Review Board is strictly prohibited.

13.01 Flags: Flags of any kind placed on a Lot so as to be visible from outside the Dwelling on the Lot shall not be permitted, except that one country flag or one educational institution flag not exceeding 48" x 72" in size and one decorative flag no exceeding 36" x 60" in size may be hung from flag poles not exceeding 72" in length or 3" in diameter, which must be mounted within brackets at a 45 degree angle attached to the exterior façade of the Building at a location approved by the Design Review Board. Flag poles installed directly in the ground are prohibited.

14.01 Artificial Vegetation: No artificial grass, plants or other artificial vegetation shall be placed or maintained upon the exterior portion of any Lot, or any Improvement(s) thereon, unless approved by the Design Review Board.

15.01 Mailboxes:

- (a) Location: If curbside mailboxes are permitted by postal authorities, such curbside mailboxes shall be installed as follows: (a) for any front loaded Lot, a mailbox may be installed on the right side of the driveway only; (b) for any side loaded Lot or alley loaded Lot having a walkway extending from the Building to the street at the front of the Lot, a mailbox may be installed on the right side of the walkway only; (c) for any other Lot, the location of mailboxes shall be determined by the Design Review Board. In any event, no mailbox shall be installed in such a manner as to interfere in any manner with vehicular traffic or obstruct visibility along a street or alley.
- (b) Central Delivery: Founder, during the Development Period, and the Board, upon termination of the Development Period, may designate certain areas of the Property as "central delivery." Mailboxes may not be erected on Lots in areas designated as "central delivery." Founder will establish a single location within the Property for mail drop-off and delivery by persons whose Lots are located within a "central delivery" area.

16.01 Parking and Vehicles:

- (a) Vehicles, Generally: Parking of personal vehicles on any portion of a Lot other than on a driveway or within a garage or carport is prohibited. No parking shall be permitted on or over Street curbs. Notwithstanding the foregoing, parking of vehicles on public streets within The Town of Lost Rabbit is allowed and encouraged. Only vehicles bearing current license and registration tags, if required by Mississippi law, may be parked in The Town of Lost Rabbit. No vehicle shall be parked so as to visually obstruct the intersection of any Street or Alley with another Street or Alley.

- (b) Prohibited Vehicles: Parking of commercial vehicles, boats, trailers, vehicles advertised for sale and inoperable vehicles (the “**Prohibited Vehicles**”) in places other than within an enclosed garage are prohibited. The door(s) to such an enclosed garage must be capable of being closed, and, when Prohibited Vehicles are stored therein, the garage door(s) shall remain closed at all times, except when vehicles are being driven in and out of the enclosed garage (provided that the garage door(s) shall not be opened until immediately before the vehicle is driven in or out, and shall be closed immediately thereafter). No repair, maintenance or restoration of automobiles or other authorized vehicles may be carried out on any Lot or at any location within The Town of Lost Rabbit. Without limiting the generality of the foregoing, changing the oil in any vehicle or equipment is expressly prohibited on the Property.
- (c) Prohibited Vehicles; Exception: Notwithstanding the foregoing, Members or their tenants may park one (1) boat, camper, or recreational vehicle on a Lot for a period of twenty-four (24) hours prior to leaving for a trip or for a period of twenty-four (24) hours following return from a trip for the exclusive purposes of packing, unpacking, and cleaning such boat, camper, or recreational vehicle. Should the Board determine, in its sole and unqualified discretion, that a Member or tenant is in violation of this paragraph by parking a boat, camper or recreational vehicle for purposes not authorized by this paragraph, the Board, in its sole and absolute discretion, may assess an appropriate penalty against the Member or tenant, or the Member or tenant’s Lot.

17.01 Air Conditioning Units: Window-mounted and wall-mounted air conditioning units are prohibited and shall not be permitted anywhere on the Property.

18.01 Yard Signs:

- (a) All signs must meet the standards set forth in the Design Code. As set forth in the Design Code, no Yard Sign of any kind shall be erected on any Lot or Building except as follows:
- (1) A Member may erect one (1) real estate “For Sale” or “For Lease” Yard Sign on his/her Lot, but only during the period wherein the Lot is being offered for sale or lease. Notwithstanding the foregoing, one (1) additional “Open House” Yard Sign may be erected in conjunction with the offering of a Lot for sale or lease, provided that the sign shall not be erected until the morning of the day upon which the Open House is to occur and shall be removed immediately at the end of the day. If the Open House is scheduled to occur over a period of more than one day, the sign shall not remain overnight, but shall be installed each day no more than one hour prior to the commencement of the Open House and removed each day immediately upon the conclusion of the Open House.
 - (2) A Member may allow the erection of one (1) Yard Sign identifying the general contractor relative to a residential construction project, which shall be erected no earlier than the commencement of construction and shall be removed immediately upon completion of construction.
 - (3) A Member or tenant may erect one (1) Yard Sign promoting a public or non-profit private educational institution, provided that such sign is erected directly adjacent

to the front elevation of the principal Building on the Lot within a landscape bed and is erected such that the sign face is parallel with the street upon which the Lot fronts. The Yard Sign promoting a public or non-profit private education institution shall be made of a durable material, such as wood or metal, but in no event shall be made of plastic.

- (b) Except for an “Open House” Yard Sign erected in strict conformance with Section 18.01(a)(1), no more than one (1) Yard Sign identified as permissible in Section 18.01(a) may be erected on any Lot at any given time.
- (c) No Yard Sign shall be attached or affixed to any Building or structure or displayed in a window.
- (d) Except as specifically provided in Section 18.01(a), no Yard Sign shall be erected on any Lot, Common Area or other portion of the Property. Without limiting the generality of the foregoing, political signs, including, without limitation, signs supporting or opposing candidates for election and ballot propositions, signs supporting or opposing political parties, and signs supporting or opposing political policies and positions, are prohibited and may not be erected on any Lot or portion of the Property.
- (e) The Rules and Regulations set forth in this Section 18.01 are a reflection of the Design Code and are subject to change by the Design Review Board or as otherwise provided in the Master Deed Restrictions and/or the Declaration.

19.01 Violations; Enforcement: Any violation of these Rules and Regulations shall be considered a violation of the Declaration and may be enforced as set forth therein, in accordance with the terms thereof.