



GreenBelt3
Association

IMPORTANT INFORMATION FOR PROPERTY OWNERS



Frequently Asked Questions

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Web: www.GB3HOA.org



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Frequently Asked Questions

What is the GreenBelt 3 Association?

Incorporated in 1980, GB3 is a homeowner association composed of Talbrock Circle property owners whose primary purposes are to manage the shared common areas and enforce reasonable rules for their uses. Governed by a three-member board of directors, GB3 is also charged with the enforcement of deed restrictions imposed upon all property lots for the benefit of all property owners in maintaining proper community standards.

Are there any governing documents for GB3?

Yes. GB3's three contractually binding documents for property owners on Talbrock Circle include the *Articles of Incorporation*, the *Code of Regulations*, and the *Declaration of Covenants, Easements, Restrictions, and Assessment Lien*. The *Declaration of CERAL*, known commonly as the "deed restrictions," is the document that affects homeowners the most, particularly Sections 2, 5, 6, and 10.

What are association assessments used for and how much are they?

GB3's assessments, invoiced every six months in February and August, are used for maintenance of the common areas (and for some shared private property) that surround Talbrock Circle and the building units. The assessments also cover necessary legal and operations expenses to conduct association business. The current annual assessments are \$230 (\$115 per half).

How much of the driveway pavement am I personally responsible for?

You are personally responsible for all the driveway area that extends from your front sidewalk down to the street curb and between your two side property boundaries. This requires the regular repairing of any cracks or holes that may appear, in addition to the removal of weeds, grasses, leaves and other debris from the driveway surface. Because your pavement is shared with that of your adjacent neighbors, it is imperative that you protect and maintain the integrity of your pavement.

How many vehicles am I allowed to own or park on Talbrock Circle?

There is no limit to the number of vehicles you may own. Additional parking is available in the center common areas for your vehicles and those of your guests. All vehicles parked on private and/or common property must be owned or leased by property owners or their tenants, have valid license and registration, and be properly maintained and in operable condition. Storage is not allowed, and recreational vehicles, boats, trailers, and commercial vehicles are prohibited.

Can property owners install satellite dishes?

Yes. Satellite dishes and other communication devices are permitted as long as they don't exceed 24 inches in height or diameter. They must be concealed from public view whenever possible and be located within the backyard but not on the building structure itself.

Do I need GB3 approval before making exterior changes to my house, such as changing the color or building a fence, shed, or deck?

Yes. There is a simple approval form, which is included in this document, that you must complete and submit to the GB3 Board of Directors prior to making any exterior changes to your property. If you follow the structural and color guidelines outlined in the *Declaration of CERAL*, there shouldn't be any problem in securing approval for your proposed changes. Association approval is not necessary for routine maintenance and repairs that don't alter the exterior appearance of your property.

Am I allowed to rent out my house as investment property?

No. A February 2009 amendment to the *Declaration of CERAL* requires all housing units on Talbrock Circle to be owner occupied, not leased to tenants (see additional information in this document). The amendment does have a "hardship" provision that grants temporary exemption to the leasing restriction due to special circumstances.

What You Need To Know About Property Compliance: Simple Basics

The GreenBelt 3 Association annually conducts surveys of all properties on Talbrock Circle to determine their compliance with GB3's *Declaration of Covenants, Easements, Restrictions, and Assessment Lien (CERAL)*. Usually conducted in the spring, this self-governing process was initiated several years ago to assure that all properties are properly maintained on a regular basis. Individual property owners are also welcome to participate in the compliance survey process by reporting properties to the GB3 Board of Directors that they believe are out of compliance, according to the rules of governance. All input is treated confidentially.

Those property owners who are given notice to comply with specific provisions of the *Declaration of CERAL* will have an ample period of time to complete (or have in progress) any necessary repairs or maintenance, generally 15 to 30 days, with the exception of issues concerning vehicles, which must be addressed promptly. Please note the brief summary below of the *major* issues covered by the compliance surveys. For the complete list and full description of all compliance provisions, refer to Sections 2, 5, and 6 in your copy of the *Declaration of CERAL*.

* * * * *

■ **Rubbish, Trash, and Weeds:** All lots, including (and especially) the backyards, need to be free of trash, yard debris, weeds, and other items that detract from the appearance of the building unit.

■ **Fences:** Backyard fences must be intact and cannot exceed a height of 6 feet and must be made of wood or composite material with a color close to that of natural wood or a neutral tone (tan, light gray, white, etc.). No metal fences of any kind (chain link, chicken wire, barbed wire, pet pens, garden containment, etc.) are permitted.

■ **Sheds:** All shed structures, which must be located in the backyard, cannot be larger than 8 feet x 12 feet and no higher than 9 feet at any one point and can be made of wood, metal or any acceptable composite material. Their color must be close to a natural or neutral tone or that of the home's exterior metal siding or deck.

■ **Patios and Decks:** All patios and decks must be properly maintained and structurally sound. Patios can be made from just about any material, including brick, wood, stone, concrete, etc. Decks must be made of wood and be a natural wood or neutral color but not necessarily that of the privacy fence.

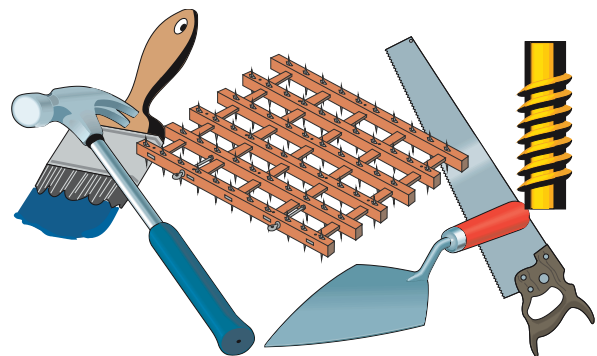
■ **Vehicles:** All vehicles parked on private and/or common property must be owned or leased by property owners or their tenants, have valid license and registration, and be properly maintained and in operable condition. Storage is not allowed, and recreational vehicles, boats, trailers, and commercial vehicles (more than 1-1/2 tons gross vehicle weight) are not permitted.

■ **Private Parking Areas:** All private parking areas must be repaired regularly or when necessary and resealed every two years. Also, all pavement areas are to be kept free of weeds and grasses, especially by the sidewalk and street curb joints. Striping or address signage of any kind is not permitted.

■ **Satellite Dishes:** Communication devices of any type can be no larger than 24 inches in height or diameter, must be concealed from public view whenever possible, and be located within the backyard but not on the building structure itself.

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Please remember that any proposed additions, changes, or alterations to the exterior of your property are subject to prior approval of the GB3 Board of Directors. As a general guideline, approval depends upon the harmony of external design and location in relation to surrounding structures and topography.





Disposing of Your Trash, Yard Waste, And Bulk Items

Along with keeping your grass cut and trimmed and maintaining the pavement surface of your private parking area, the proper disposal of trash, yard waste or recyclables, and bulk items is a primary responsibility of all property owners on Talbrock Circle. The following is a set of guidelines for homeowners (and tenants) regarding trash/waste disposal matters:

- Residences on Talbrock Circle are to have their green trash receptacles removed from the street within 48 hours of trash collection and to make sure there is no “residual trash” lying around their containers or on the street. The bottom line for general trash collection by the City of Columbus (COC) is that ***nothing will be picked up that is not placed within the green receptacle. Anything in addition to the green container will be ignored.*** Blue recycling cans are picked up by the private contractor Rumpke.

- Recyclables are not to be placed by the curbside for longer than one week. This includes all recyclable yard waste in bags or marked containers, bundled yard waste, or items placed in the recycling cans.

- Bulk items for special pickup are not to be placed by the curbside for longer than two weeks. In most cases, the city service or contractor will pick up these items within five to to 10 days after you’ve called to schedule the pickup, but occasionally there are delays.

If you cannot meet the above timetables due to something beyond your immediate control, please contact one of the GB3 directors. Residences that fail to comply will be penalized AND charged for any services to properly dispose of trash, yard waste, or recyclables.

The following information has been prepared to help you in preparing for yard waste and bulk item pickup:

* * * * *

- Grass clippings, leaves, and other yard waste should be placed in biodegradable paper yard waste bags. You can also use a trash can labeled as “yard waste.” Branches and twigs should be bundled with twine or string and should not exceed 4 feet in length or 2 feet in diameter.

Should COC suspend its yard waste collection program, there are two nearby drop-off sites (free of charge): Kurtz Bros., 6279 Houchard Road (9.3 miles; just west of Dublin off the Rt. 33 Plain City/Post Road exit); and Ohio Mulch, 4120 Roberts Road (7.3 miles; just west of the intersection of Old Dublin Road and Roberts Road near the railroad tracks or east one mile off the I-270 Roberts Road exit). Call for hours of operation.

The COC bulk collection process has become a little more stringent. ***Only the items you schedule online or by phone will be collected. Any additional items placed at the collection site will not be picked up.***

- **General Appliances, Water Heaters, Furniture, Carpet, Mattresses, and Household Items:** Call COC at 645-3111 or go online to www.columbus.gov at least two days prior to the regular trash collection date to schedule a bulk pickup. Glass must be removed from bulk items, placed in a box, taped, and marked “glass.” Plastic or metal trash cans placed with a bulk pickup will be discarded.

- **No Refrigerated Appliances:** Because regular city services will not dispose of these items, you must contact an appliance salvaging company. There is generally a minimal charge for these disposal services.

- **Other Items Disclaimed for Pickup:** household hazardous waste materials (paint, thinners, pesticides, and cleansers); auto parts (tires, batteries, and motor oil); building and excavating materials (wood, drywall, concrete, bricks, doors, windows, fencing, decking, sinks, toilets, bathtubs, etc.); furnace equipment; pianos or pool tables; and anything cast iron. For information on how to dispose of these disclaimed items, call 645-3111 or search online for waste disposal services.

Yard waste and bulk items should be placed directly in front of residences at the curbside, in the small triangular common areas between building units, or at the top of Royalwood Drive along the street. ***No yard waste or bulk items are to be placed in the center common area. If possible, please avoid placing items on the grass, using the street or driveway pavements instead.***

Beautifying the Common Areas Beyond Your Property Line

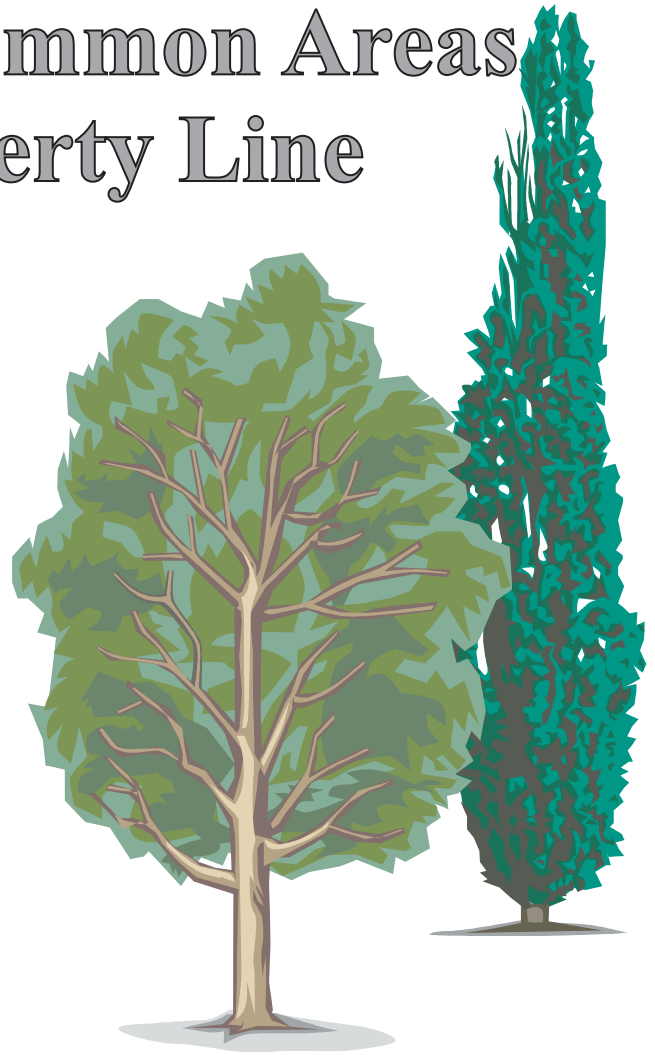
As outlined in the GreenBelt 3 Association's *Articles of Incorporation*, one of the purposes of GB3 is to "establish and enforce reasonable rules and regulations for the use" of the common areas. Part of that responsibility calls for the maintenance and management of "any and all facilities and improvements (including personal property) presently or in the future constructed or located thereon; all for the benefit of the owners"

Over the years, some property owners have extended landscaping beyond their own property lines into the common areas, mostly between building units. In each of these cases, the landscaping has added to the overall aesthetics and "curb appeal" of the common areas and Talbrock Circle, thereby benefiting all property owners.

GB3, which would like to see this practice of joint beautification continue, has established some written guidelines for property owners to follow. In general, all proposed beautification projects must be submitted in writing and require approval by the GB3 Board of Directors *before* beginning the project. Beautification projects that are currently in effect as of January 1, 2005, and meet the guidelines outlined below will be "grandfathered" by GB3 under this agreement.

Guidelines for Cooperation

- The common area beautification agreement between GB3 and any property owner addresses *only landscaping* (no vegetable gardening) that aesthetically enhances the common area and *excludes* all permanent structures such as fences, sheds, decks, etc., and any landscaping that may resemble a permanent structure defining a property boundary.
- A beautification project can only extend into the adjacent common area of the participating property owner, and not that of an adjacent property owner, unless both are joint participants on the project.
- The maintenance and all associated expenses of a beautification project are the sole responsibility of the participating property owner.
- The City of Columbus and all public and private utilities have right-of-way access to common area



property should it be necessary to perform construction and/or repair services. If requested to remove and/or modify a beautification project in order to perform necessary services, GB3 and the participating property owner will comply.

- The common area property directly affected by the beautification project remains under the ownership of GB3 and is not to be misrepresented or misconstrued by the participating property owner to prospective buyers, realtors, title companies, appraisers, etc., as part of his/her property boundaries.



Overview of How Penalties Are Assessed for Noncompliance

Introduction

Although the payment of general assessments (invoiced in February and August) is considered a compliance issue in and of itself, this document more specifically addresses the “assessment of penalties and late fees” as it relates to matters of compliance for property owners on Talbrock Circle. For purposes of this document, “compliance” means adhering to the provisions stated in the three governing documents of the GreenBelt 3 Association of which you are a member: the *Articles of Incorporation*, the *Code of Regulations*, and the *Declaration of Covenants, Easements, Restrictions, and Assessment Lien*.

The *Declaration of CERAL*, known commonly as the “deed restrictions,” is considered the primary document that affects homeowners the most, particularly Sections 2, 5, 6, and 10. It also serves as the cornerstone for the majority of compliance issues. However, as a property owner, the other two documents noted above are equally important and legally binding. If you don’t have a current set of them, please contact one of GB3’s directors or officers.

It’s also important to note that this overview serves only as a general guide to penalty assessments. If, after reading through the *Declaration of CERAL*, you have any specific questions regarding compliance issues or modifications to the exterior of your property, please consult directly with the GB3 Board of Directors. This governing body is the final authority for granting approval on all matters of compliance as well as assessing penalties for noncompliance.

General Provisions

■ Property owners who receive a notice of compliance are encouraged to cooperate fully with the association and its directors and officers. Please treat these individuals with courtesy. They volunteer their time, uncompensated, to help assure that the property standards on Talbrock Circle are maintained, all for the long-term benefit of the homeowners should they decide to sell their investment one day.

■ Property owners in violation or noncompliance with GB3’s governing documents are not assessed any

penalties or late fees until after a period of 30 days, *with the exception of noncompliance issues pertaining to general maintenance such as mowing the grass regularly, properly disposing of yard waste, keeping private parking areas free of debris and weeds, and removing trash/recycling receptacles from the street in a timely manner. These violations may be assessed penalties on a weekly or biweekly basis.* In general, however, most notices of compliance allow an ample amount of time (30 to 60 days depending upon the weather and other repair or maintenance factors) to resolve any issues or have the work in progress.

■ The penalty schedule that GB3 applies to matters of noncompliance is based on a percentage (minimum 10%) of the annual general assessment figure in accordance with Section 11.a. (“General Provisions: Enforcement”) of the *Declaration of CERAL*. At the discretion of the directors, penalties may be assessed once or every 30 days per infraction, depending upon the noncompliance issues in question, the past history of the property owner regarding compliance matters, cooperation by the homeowner, the number of pending violations or infractions by a homeowner, failure to comply by the deadline date, etc.

■ Property owners have the right to contest the amount of any assessed or proposed penalty. The procedures for requesting a hearing before GB3’s board members are outlined in Section 11: General Provisions (Subsection B) of the *Declaration of CERAL*.

■ If compliance is not met and penalties are not paid in full by the property owner, the directors can increase the penalties every 30 days until a homeowner is in full compliance and has remitted all monies owed to GB3. Properties not current in their annual assessments and/or that have not paid penalty assessments may be subject to property liens after a period of 90 days.

■ If a property owner refuses to cooperate on compliance matters, GB3 and its directors can exercise the authority to “force compliance” through the hiring of outside services contractors to perform any and all services necessary to bring the property in question into full compliance. The property owner will be charged all expenses associated with these services, in addition to being assessed penalties.

General Maintenance Policy

For several years, the GB3 Board of Directors expended much administrative time and expense pursuing a small number of property owners on compliance matters regarding general maintenance. In 2009, the board deemed this practice unnecessary because all property owners are contractually mandated to comply with the general maintenance provisions (Section 2: Maintenance and Repair) of GB3's *Declaration of Covenants, Easements, Restrictions, and Assessment Lien*, regardless of notices or reminders. Because the association's governing documents do not require any type of reminders — only penalty notifications — the board decided to no longer send out standard compliance notices (reminders) to property owners on matters of general property maintenance and conduct.

Effective May 1, 2010, if you are noncompliant on matters of general maintenance, instead of receiving a standard compliance notice and/or one or two reminders as was the practice in the past, you'll receive notice of a penalty assessment (minimum \$25). Property owners do have the right to contest the amount of any assessed or proposed penalty. The procedures for requesting a hearing before GB3's board members are outlined in Section 11: General Provisions (Subsection B) of the *Declaration of CERAL*.

Other compliance matters addressed in Section 2: Maintenance and Repair and/or other sections of GB3's *Declaration of CERAL* are not targeted directly by this new policy, including the maintenance, repair, or replacement of fences, sheds, decks, front porches, roofs, roof drainage systems, siding, and other exterior portions of your residence as necessary. These compliance issues will continue to be addressed on an individual basis by the GB3 Board of Directors.

To help property owners comply with this policy, a brief list of guidelines (expectations) has been compiled:

- During spring, summer, and fall, grass height/length in all front and back yards must not exceed 4 inches (preferably 3 inches or less).
- Excessive weeds, leaves, and debris must be removed from all front and back yards and disposed of properly. Additionally, weeds/grasses, leaves, and debris in all private parking areas must be removed regularly along the sidewalks and the street curb and disposed of properly.
- All yard waste must be prepared properly (leaf bags, tied bundles, or yard waste receptacles) for disposal and placed directly in front of residences, the small triangular common areas between building units, or at the top of Royalwood Drive along the street. No yard waste is to be placed in the center common area.
- All trash/recycling receptacles are to be removed from Talbrock Circle within 48 hours following collection and placed in the rear of properties (or along the sides of properties that are end/corner units of buildings).

There is really nothing “new” in this policy with regard to actual compliance requirements. What is noteworthy is the fact that there will be no reminders or notices issued to property owners to address general maintenance issues. There will be some allowances made during unusual, excessive, or abnormal weather conditions (heavy snowfall, consecutive daily rainfall, high wind storms, etc.), but don't assume anything regarding the easing of restrictions or whether your property is considered compliant.

GB3 Governance Needs YOU!

The GreenBelt 3 Association always welcomes volunteers who would like to serve as an annual director or officer. The time commitment is minimal and no experience is necessary, although access to a computer and e-mail service is helpful.

Accepted nominations are for the one-year positions of director (three elected), secretary, treasurer, and assistant treasurer. Voting is done through a confidential ballot process if there is more than one nomination for a position. Interested candidates should submit their name to the GB3 secretary no later than October 15. Directors and officers assume their new positions on January 1 of the following calendar year.

As a reminder about elections, each property unit has one total vote only; multiple owners (married couples), for instance, have to jointly decide on their one vote. If ballots are used, they will be prepared and distributed prior to the final meeting of the GB3 Board of Directors, usually held in late October or November.

If no nominations are received, no ballots will be distributed, and the current slate of officers and directors will remain in effect until the positions can be filled.



Date _____



Request for Approval

Section 6 of the ***Declaration of Covenants, Easements, Restrictions, and Assessment Lien*** states that prior to making any addition, change, or alteration to the exterior of your property on Talbrock Circle, you must submit written plans and specifications to the GreenBelt 3 Association, which are then subject to the discretion and approval of the GB3 Board of Directors. Proposals for exterior modifications must show the nature, kind, shape, height, materials, color, and location in relation to your property. This form has been designed to help simplify that process.

Please note that the submission of this form, and subsequent approval, are not required for any regular maintenance activities on your property (examples: repainting faded trim, doors, or doorways in their current color; repairing rotted or damaged fence panels/planks with exact replacements; or replacing storm-damaged siding or gutters with materials of the same nature). Also, the submission of this form, and subsequent approval, are not required to restore your property to its original condition as built by the developer (examples: removal of trees, patio decks, fences, sheds, playground equipment, etc.). If you have any questions about a proposed modification to the exterior of your property, please ask a representative of GB3.

Name _____ of _____ Talbrock Circle is requesting approval from the GB3 Board of Directors for the following exterior modifications:

- ☐ Roofing
 - ☐ Siding
 - ☐ Brick Facing
 - ☐ Front Porch/Steps
 - ☐ Gutters/Down Spouts
 - ☐ Fireplace/Chimney
 - ☐ Doors/Doorways
 - ☐ Windows
 - ☐ Window Boxes/Shutters
 - ☐ Front/Back Trim
 - ☐ Fence
 - ☐ Patio/Deck
 - ☐ Shed
 - ☐ Playground/Recreation Equipment
 - ☐ Satellite Communications
 - ☐ Other _____

Please write a brief description of any exterior modification(s) noted above, including size and shape dimensions (if applicable), materials, color, and location. You may also attach sketches, drawings, color samples, brochures, photos, etc., to help further describe your modification(s).

Approved by:

Director

Date _____