

APPENDIX 2

The Healey, A Condominium RESIDENTIAL GUIDE

The following guidelines have been adapted from www.metrogirl.com/metrogirl/metropolitan/rules.htm and the official Declaration of Condominium for The Healey, A Condominium. All owners should have received a copy of this Declaration as part of the Disclosure Package and signed off on it as part of the buying process. This document is being provided to owners and renters so that they can more readily understand the dense "legalese" of the document and become more familiar with the rules that govern the operation of the condominium and make The Healey, A Condominium a more pleasant place to live for everyone.

For specific legal information on the Board, leasing, renting, architectural controls, etc., please see the Declaration of Condominium for The Healey, A Condominium and/or other materials provided in the Disclosure Package.

Note: As used in this guide, the term Common Elements refers to areas outside individual residential or commercial units but within the building. Such areas include the hallways, elevator lobbies, stairwells, central lobby, and elevators. For a specific definition of this term, see the other materials provided in the Disclosure Package.

Guests

Section 14, Declaration of Condominium – Use Restrictions

If you have guests, it's your responsibility to make sure that these guests abide by condominium guidelines. If a guest breaks any of the condo rules and regulations, the condo association can take action against you as if you had committed the violation yourself.

One of the most important issues for residents is to make sure that their guests are respectful of not only building rules and regulations, but of building residents in general. This includes making sure that guests do not raise noise levels in the halls and common areas. This also includes keeping an eye on guests and seeing that they do not roam unrestricted throughout the building, possibly interfering with, annoying, or harassing permanent building residents.

Home Businesses

Section 14 (a) Declaration of Condominium

While residential units must be primarily used for residential purposes, ancillary home businesses are permitted provided that:

- the presence of the business is not obvious from outside the unit, i.e. it produces no undue noise or smell and there are no physical indicators such as signs or business equipment outside the unit;

- the business is listed as one of those defined as "Home Occupations" in the City of Atlanta Zoning Ordinance;
- the business does not bring an unreasonable number of visitors to the building, i.e., there aren't clients, customers, employees, etc., coming to see you day and night;
- the business activity doesn't raise the building's insurance premium or negatively affect the ability of the association to purchase insurance coverage;
- the business is consistent with the residential character of the building and is not a nuisance or a hazardous or offensive use;
- the business does not threaten the security or safety of other residents;
- the business does not result in substantially greater use of the common elements (halls, elevators, stairways, utilities, etc.).

Construction and Contractors

Section 13 (b) (c) (i), Declaration of Condominium

Over time, many owners may choose to alter their units, either by performing work themselves or by hiring contractors. While all owners are obviously free to do with their units as they please, there are certain restrictions and guidelines they must follow:

- Within the boundaries of a unit, an owner can remove partition walls and/or create new walls or doors, as long as no load-bearing walls or columns are weakened or removed and no common elements are damaged, destroyed, or endangered.
- If any chutes, flues, ducts, conduits, wires or other apparatus used by other parts of the building are affected during construction on an individual unit, they must be relocated.
- While some furniture, equipment or supplies may have to be stored in the hallway during construction, it is expected that unit owners will make every effort not to inconvenience or endanger other residents. This means making sure that items left in the hall take up as little space as possible and that they do not remain an undue length of time. No one should expect to keep furniture, equipment or supplies in the hallway for months at a time.
- Construction activities should not include anything that would increase the rate of insurance for the building or otherwise endanger the building or its residents.
- Construction activities that produce large amounts of noise (sawing, hammering, sanding, scraping, etc.) should be undertaken during primarily daylight hours to minimize disruption to units next to, above or below the unit. Owners are also advised to seek written approval of the condo Board prior to beginning any major floor repairs or renovations.
- No damage should be done to any of the building's common elements and any trash or other waste produced by construction should be removed from the building by the owner or contractors.

Below are some specific guidelines for owners employing contractors:

- Owners are responsible for visiting contractors in the same way they are responsible for guests (see above).
- Owners should remind contractors to try to keep the building's hallways, walls, floors and other common elements clean. If possible, contractors should lay down tarps beneath any equipment or supplies they are storing in the hallway.
- Any trash or other waste produced by construction should be removed from the building.
- When parking in front of the building, contractors should be advised to do their utmost to remain in front of the building only as long as it takes to unload supplies or remove waste. Space in front of the building is as at premium and having contractors park on the sidewalk also obstructs the flow of pedestrians.

Noise

Section 14 (f), Declaration of Condominium

For the comfort of all residents, noise in the Common Elements is to be kept to a minimum and noise within units should not be disruptive to residents in adjacent units. The Board has the right to deal with violations of this rule in whatever manner is appropriate.

Firearms and Fireworks

Section 14 (g), Declaration of Condominium

The display or discharge of firearms (including B-B guns, pellet guns, and other guns) or fireworks on the Common Elements is forbidden unless the display or use is by law enforcement officers or a resident is transporting firearms or fireworks through the Common Elements (i.e. hallways, elevator, etc.) to his/her unit.

Pets

Section 14 (h), Declaration of Condominium The Healey, A Condominium gladly welcomes pets, but to assure the quality of life of all residents, the following rules and regulations govern pets within the building:

- No more than a total of two dogs or cats, in any combination. This means a unit may have a) two dogs, b) two cats, or c) a dog and a cat.
- A number of small household pets such as hamsters, birds, fish, etc., are acceptable as long as they do not break any local or state laws governing domestic pets.
- No owner or occupant may keep, breed or maintain any pet for any commercial purposes.
- Pets may not be left unattended or unleashed in common areas like the hallway, stairways, or lobbies.
- If a pet pees, poos, vomits or leaves any other mess in a common area, the pet owner must clean it up immediately and do his/her best to remove any stains or other damage done. If the pet owner does not clean after his/her pet, the pet owner may be fined accordingly. The fine should be considered payment for cleaning services to the common area.
- No potbellied pigs.

- No pit bulldogs or other dogs that are found to be dangerous or vicious.
- Any pet which endangers, disturbs or creates a nuisance for building residents may be removed upon the order of the condo Board of Directors. If the pet presents an immediate threat, the Board can remove it immediately without prior notice to the pet's owner.

Heating of Units in Colder Months

Section 14 (j), Declaration of Condominium

In order to prevent breakage of water pipes during the colder parts of the year, thermostats within the units should be set to "on" at a minimum temperature of 55° F any time the outside temperature is forecasted to or does reach 32° F or below. Exceptions to this rule are allowable only during power outages or periods when heating equipment is broken.

Signs

Section 14 (k), Declaration of Condominium

The following rules govern the display of signs outside residential units or in any common elements:

- No signs but those required by legal proceedings or those related to the development or sale of a unit.
- The Board can post signs on behalf of the condo association.
- Signs related to business activities in unit may only be erected with the prior permission of the condo Board.
- The building's ground level commercial units may put up signs as long as those signs comply with the City of Atlanta Sign Ordinance.

Garbage / Trash / Rubbish

Section 14 (l), Declaration of Condominium

Do we want our building to smell or attract vermin like rats and cockroaches? Of course not! Accordingly, The Healey, A Condominium has the following rules regarding the disposal of garbage / trash / rubbish:

- Garbage must be regularly removed from all units -- no saving two months at a time.
- No garbage outside the unit except in the designated area, which is the trash room off of the mailroom in the basement.
- All garbage should be in sturdy, sealed bags.
- All boxes or cartons are to be broken down into small pieces and placed in trash bags or they will not be removed.
- Anyone renovating their unit should be aware that it is your responsibility and/or the responsibility of contractors to remove any waste produced by the renovation.
- Furniture, either whole or broken down, will not be removed - responsibility falls on the owner.

Recycling

There is no recycling at this time. For the location of the nearest recycling center, call 404-222-2010.

Garage Sales

Section 14 (n), Declaration of Condominium

No garage sales, yard sales, flea markets or similar activities. If you have goods you would like to sell or give away, during the summer there are monthly neighborhood tag sales staged under the moniker of the Fairlie Poplar Bazaar. There are also a number of consignment and pawn shops nearby, as well as a large Salvation Army store farther up Marietta Street near Georgia Tech.

Window Treatments

Section 14 (o), Declaration of Condominium

If you have window treatments (blinds, shades, curtains, drapes, etc.), the side that faces the outside must be white or off-white. This is in accordance with regulations used by most apartment and condo developments

Antennas

Section 14 (p), Declaration of Condominium

No transmission antennas may be set up anywhere outside the building without prior approval from the building's Architectural Control Committee. No direct broadcast satellite (DBS) antenna or multi-channel, multi-point distribution (MMDS) service antennas larger than one meter may be placed, allowed or maintained on any portion of the condo, including a unit. DBS and MMDA antennas one meter or less in diameter and television broadcast service antennas may only be installed in accordance with Federal Communication Commission rules and the rules and regulations of the Association.

Abandoned Personal Property

Section 14 (r), Declaration of Condominium

Don't leave any personal property in the Common elements without prior written Board approval. If the Board determines a violation, within two days after a written notice is left on the front door of the property owner's unit (if known), the Board may remove, discard or store the item and will have no obligation to return, replace, or reimburse the property owner. In emergency situations, where there are health or safety concerns, the Board may remove property without prior notice to the owner. The Board will then notify the property owner within three days with a written notice and fine the property owner at least for the removal services.

Exceptions to this rule are found under the Construction and Contractors section of this document, although overall building residents and/or owners are advised to be aware of condo policies regarding abandoned personal property.

Elevators*Section 14 (u), Declaration of Condominium*

One elevator in the main elevator bank has been designated and set up for use in moving furniture or other large items. This is the only elevator that should be used for such purposes.

Restricted Areas

For the safety of residents, the following areas of the building are restricted:

- roof
- janitorial workrooms and/or closets.

Other Safety Issues

Other safety restrictions have been set up to protect building residents as well as the people outside the building:

- No sitting outside on unit windowsills on any side of the building;
- No flower boxes, plants or other items should be placed outside the building on unit windowsills, as they could easily fall and either injure a pedestrian or damage automobiles, adjacent buildings, or the roof of the low-rise portion of this building.
- Absolutely do not throw anything out the window since it is very possible that doing so could endanger people and/or property outside the building, especially if objects are thrown from the upper floors.

For More Information

For specific legal information on the Board, leasing, renting, architectural controls, etc., please see the Declaration of Condominium for The Healey, A Condominium and/or other materials provided in the Disclosure Package.