

Windemere Homeowners Association
Frequently Asked Questions (FAQ)
As of October 2, 2025

The following answers are provided to the questions that are frequently asked by the Windemere development homeowners.

1. ABOUT THE COVENANTS

- a. As a lot owner and/or homeowner in the Windemere development, am I bound by the Declaration of Subdivision Restrictive Covenants for Windemere?**

Answer: Yes. All lot owners and homeowners in the Windemere subdivision are bound by the Covenants, whether they purchased their property directly from Brenner Holdings, LLC, or repurchased the property from a previous owner.

- b. I did not receive a copy of the Declaration of Subdivision Restrictive Covenants for Windemere when I purchased my lot. Where can I obtain a copy of the Covenants?**

Answer: You should have received a copy of the Declaration of Subdivision Restrictive Covenants for Windemere when your deed was filed with Greene County, Ohio Records. However, if you did not receive a copy of the Declaration of Subdivision Restrictive Covenants for Windemere or if you purchased your home from a previous owner who did not provide you a copy of the Declaration of Subdivision Restrictive Covenants for Windemere then you can obtain a copy from the Windemere Homeowners Association web site at <https://www.windemere-hoa.com> or from the Windemere Homeowners Association Trustees.

- c. How long with the Declaration of Subdivision Restrictive Covenants for Windemere remain in force?**

Answer: The Declaration of Subdivision Restrictive Covenants for Windemere will remain in force until January 1, 2030, on which date the Covenants shall automatically be renewed unless a majority of the owners of lots in the Subdivision elect to not have them renewed.

- d. Can the Declaration of Subdivision Restrictive Covenants for Windemere be modified or amended?**

Answer: Yes. The Declaration of Subdivision Restrictive Covenants for Windemere can be amended or modified by a majority vote of the lot owners in the subdivision. However, any amendment or modification of the Declaration of Subdivision Restrictive Covenants for Windemere would entail filing the revised Declaration of Subdivision Restrictive Covenants for Windemere with Greene County, Ohio Records, for which the Windemere Homeowners Association would have to pay.

- e. Are there provisions in the Declaration of Subdivision Restrictive Covenants for Windemere for variances to the Covenants?**

Answer: Yes. Under paragraph 6C of the Declaration of Subdivision Restrictive Covenants for Windemere a lot owner may submit a request for a variance to the Plan Review Committee for consideration. The request for a variance must be submitted in writing to the Plan Review Committee, which will review the request and then provide a recommendation to approve or disapprove the request to the Trustees. The Trustees will then vote to approve or disapprove the request. Any approval or disapproval of the variance will be provided in writing to the lot owner by the Trustees.

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2. ABOUT THE HOA

a. What is the Windemere Homeowners Association?

Answer: The Windemere Homeowners Association is a Not-for-Profit corporation under Sections 1702.01 et seq. of the Ohio Revised Code established by the Articles of Incorporation of the Windemere Homeowners Association. The Articles of Incorporation of the Windemere Homeowners Association and associated By-Laws, define the Statutory Agent, the creation and election of the Board of Trustees, the powers of the Board of Trustees, the duties of the Board of Trustees, the annual meeting of the Windemere Homeowners Association, special meetings of the Windemere Homeowners Association, the Board of Trustee meetings, the officers of the Association, the business management of the Association, the indemnification of the Trustees, officers, or employees, or former Trustees, and conflicts or amendments of the Declarations/By-Laws.

b. What is the purpose of the Windemere Homeowners Association?

Answer: The Windemere Homeowners Association was established by Brenner Holdings, LLC, to promote the health, safety, and welfare of all owners and residents of the Windemere subdivision; to preserve, beautify, and maintain the subdivision and associated structures; to oversee development of the properties relating to land use, architecture features, and site planning; to preserve and promotion of environmental qualities; and to comply with zoning and similar government regulations. The Windemere Homeowners Association fulfills these obligations by exercising the powers and authorities set forth in the Declaration of Subdivision Restrictive Covenants for Windemere.

c. Is the Windemere Homeowners Association responsible for maintaining the property to the east of Sheppard Road between the Windemere lot owner's property boundaries and Sheppard Road?

Answer: No. That strip of property is owned and maintained by the Country Club of the North. Maintenance includes mowing the grass, generally weekly in the summer; fertilizing, mulching, trimming, and related care of the property.

d. Is the Windemere Homeowners Association responsible for maintaining the property to the south of Indian Ripple between the Windemere lot owner's property boundaries and Indian Ripple?

Answer: Technically no. That stretch of property is owned and maintained by Greene County as part of the right of way easement for Indian Ripple. However, Greene County will only cut the grass and maintain the right of way once or twice a year as they do on other right of ways in the county. Therefore, the Windemere Homeowners Association has historically taken care of that right of way along the edge of the Windemere subdivision to keep up the appearance of the subdivision and entrances.

e. What area is the Windemere Homeowners Association responsible for maintaining?

Answer: The Windemere Homeowners Association is responsible for maintaining the two entrances to the Windemere subdivision, one from Indian Ripple and one from Sheppard Road, the median strip in the entrance to the subdivision from Indian Ripple, the four Windemere subdivision signs and walls, and the associated lighting, flower beds, plants, and sprinkler system. This maintenance responsibility includes the electric and water bills, any repair, replacement of failed components, mowing, fertilizing, mulching, planting, trimming, and otherwise maintaining the appearance of the entranceways into the subdivision.

Windemere Homeowners Association
Frequently Asked Questions (FAQ)
As of October 2, 2025

f. Has the Windemere Homeowners Association been granted any easements on any of the lots in the Windemere subdivision?

Answer: Yes. Paragraph 22 of the Declaration of Subdivision Restrictive Covenants for Windemere grants the Windemere Homeowners Association the right of easement for street monuments and any other monuments or markers that are installed, along with right of way to reach, repair, replace, and maintain those monuments and markers.

g. How does the Windemere Homeowners Association Trustees determine the amount for annual fees?

Answer: The Windemere Homeowners Association Trustees prepare an annual estimated operating budget for each year. The Trustees determine if the estimated budget includes all the expected expenses for the year, including repairs, sprinkler maintenance, mowing, insurance, electric and water bills, mulching, trimming, and etc. The trustees include some amount of reserve in the budget to cover unexpected expenses, like repair of the sprinkler system if it should break. Once the Trustees are satisfied with the estimated yearly budget, they divide the total budget amount by the number of lots in the Windemere subdivision, 76, to determine the annual fee for each lot owner. The Secretary for the Windemere Homeowners Association then prepares an Annual Fee Notification Letter and sends the letter to each lot owner.

h. How does the Windemere Homeowners Association Trustees determine the cost for each required service, such as mowing the grass?

Answer: The Windemere Homeowner Association Trustees solicit a minimum of three quotes for each needed service and then select the bidder with the best value to perform that service.

i. What actions will the Windemere Homeowners Association take if a lot owner does not pay the annual fee?

Answer: The Secretary of the Windemere Homeowners Association will send reminder letters to those homeowners and/or lot owners who have not paid their annual dues by the payment due date established in the Annual Fee Notification Letter. If a homeowner and/or lot owner does not pay the annual fee and associated late payment fee after receipt of the reminder letter, then the President of the Trustees will contact the homeowner and/or lot owner to discuss the annual fee and any late fee payment due. The Windemere Homeowners Association, by virtue of the Windemere Homeowners Association Articles of Incorporation and Declaration of Subdivision Restrictive Covenants for Windemere, may retain and hire a collection agency to collect the delinquent fees. If all attempts to collect the annual fee and late fee fail, the Association may file and place a lien on the property of the homeowner and/or lot owner for non-payment of the fees. The Windemere Homeowners Association would prefer not to take this action due to the expense of formally filing a lien and the ill will that would be generated by such action.

j. How is information about the Windemere subdivision distributed?

Answer: The Windemere Homeowners Association will distribute announcements for the annual and any special meeting in writing by mail to the homeowners and/or lot owners not less than (5) days and not more than (30) thirty days prior to the meeting. Additionally, the Windemere Homeowners Association will distribute information about the Windemere subdivisions, notifications of annual and ad hoc meetings, and other information of use to the homeowners and/or lot owners using the email distribution list maintained by the Secretary of the Windemere Homeowners Association. For those homeowners and/or lot owners who

Windemere Homeowners Association
Frequently Asked Questions (FAQ)
As of October 2, 2025

have not provided an email address to the Association, the Secretary will distribute hard copies of the information to each of these individual homeowners, either by mail or by personal distribution. To reduce the expense of reproducing material and to speed the distribution of information to the homeowner and/or lot owners, the Windemere Homeowners Association would prefer for all homeowners and/or lot owners to provide a valid email address to the Association for inclusion in the distribution list.

3. ABOUT THE PLAN REVIEW COMMITTEE

a. What is the HOA Plan Review Committee

The purpose of the Windemere Homeowners Association Planning Review Committee is to ensure that any proposed changes to any Windemere lot comply with the Declaration of Subdivision Restrictive Covenants for Windemere and that any proposed variances are justified. The Planning Review Committee consists of homeowners who volunteer to review any proposed changes and any request for variances from homeowners to determine if the changes are allowed by the Covenants. The President of the Windemere Homeowners Association chairs the Planning Review Committee.

b. What are some of the typical items that need to be submitted to the Plan Review Committee for review and approval?

Answer: Some of the typical items that need to be submitted to the Planning Committee for review and approval include fence installations, swimming pools, pergolas, modifications to houses, house additions, landscaping changes, house colors, and playground equipment.

c. Do changes to landscaping need to be submitted to the Plan Review Committee for review and approval?

Answer: Yes, per the Declaration of Subdivision Restrictive Covenants for Windemere, paragraph 6.B.

d. Do house paint colors need to be submitted to the Plan Review Committee for review and approval?

Answer: Yes, per the Declaration of Subdivision Restrictive Covenants for Windemere, paragraph 6.B.

e. Do Fencing additions or changes need to be submitted to the Plan Review Committee for review and approval?

Answer: Yes. Fencing in rear yards only shall be permitted. The type of fence must be approved by the Declarant. No chain link fence of any kind may be used.

4. COMMON COVENANT QUESTIONS

a. Are satellite dishes allowed in the Windemere subdivision?

Answer: Yes, as long as the satellite dish is 22 inches or smaller in size. The satellite dish must be sufficiently screened from public view or the dish must be located at the rear of the residence.

b. Are Political Signs allowed in the neighborhood?

Answer: No. The Declaration of Subdivision Restrictive Covenants for Windemere does not allow any signs in yards except for "Home for Sale", "Open House", and Home Sold signs. Some temporary signs, such as Garage Sales, are permitted.

Windemere Homeowners Association
Frequently Asked Questions (FAQ)
As of October 2, 2025

c. Can RVs, Camping Trailers, Utility Trailers, Boats, or other trailers be parked in driveways?

Answer: No per the Declaration of Subdivision Restrictive Covenants for Windemere, paragraph 10. RVs, Camping Trailers, Utility Trailers, Boats, or other trailers may be temporarily parked in driveways for loading and unloading.

d. Are children swing sets, climbing structures, etc. allowed?

Answer: Yes. However, all swing sets and other play structures permanently left outside must be constructed of wood. The wood shall be left in its natural state or painted in a subdued earth tone color.

e. Are house trailers, cabins, tents, metal storage sheds, or other outbuildings allowed?

Answer: No house trailers, cabins, tents, metal storage sheds, or other outbuildings are permitted on any lot, nor is any basement, garage or outbuilding of any kind to be used as a temporary or permanent residence.

5. HOMEOWNER COMPLAINTS OR CONCERNS

a. How do Homeowners communicate complaints of concerns?

Answer: Homeowners should contact any of the Trustees vis telephone or email to convey any complaints or concerns about the development. The Trustees will contact the homeowner to obtain additional information about the complaint or concern and determine whether it falls under the responsibilities of the Trustees or not. The Trustees will then try to resolve the complaint or issue. The Trustees will provide an answer to the homeowner once the issue is resolved or provide the reason that the Trustees can not resolve the issue.

6. WINDEMERE HOMEOWNERS ASSOCIATION SUPPORT

a. How do Homeowners support the Windemere Homeowners Association?

Answer: First, attend and participate in the annual Windemere Homeowners meeting and any special meeting called by the Trustees. Second, volunteer to participate in, or lead one of the standing or ad hoc committees established by the Trustees. Third, provide feedback to the Trustees with constructive suggestions for improving the Windemere neighborhood and operation of the Association. Finally, run for one of the Trustee positions in the Windemere Homeowners Association when the term of service for the current Trustees ends. These terms are staggered with the term served by each officer being three years.