



MOUNT VERNON

Residential Estate

A Guide to living on the Estate

Living at Mount Vernon Residential Estate means being part of a community of people who share a secure and privileged lifestyle. Certain controls are required to promote, protect and maintain this lifestyle to ensure a harmonious environment for the benefit of all – the intention is one of promotion rather than restriction.

A Homeowners Association (HOA) has been established and various controls are in place in order to ensure that the estate develops and operates as intended – this Guide to Living on the Estate is an introduction to these controls to assist with the understanding of the framework within which the Home Owners Association exists and operates.

All members are urged to familiarize themselves with the regulatory environment of the HOA.

THE CONSTITUTION OF THE MOUNT VERNON HOMEOWNERS ASSOCIATION

All owners of residential properties within the estate automatically become members of the HOA and remain as members until ownership of the property changes, whereby the new owner automatically replaces the current owner as a member.

The main function of the HOA is to promote, advance and protect the members of the HOA from time to time, and to maintain and control the common areas.

The Constitution provides the framework within which the HOA is legally bound to operate. Trustees are elected by the members to manage and control the business and affairs of the HOA with their appointment, powers and functions being determined by the Constitution.

The Constitutions further provides for the HOA to adopt rules and regulations which include, inter alia, rules and regulations with regards to;

- o the payment of Levies
- o the General Conduct of members
- o the Architectural design of all buildings within the Estate
- o the Landscaping of properties, and
- o the control of Building Contractors and Activities

PAYMENT OF LEVIES

Members are required to pay levies monthly in advance, as determined by the Trustees and as adopted by the HOA for the purpose of meeting all the expenses of the HOA with regards to maintenance, repair and improvement of all of the common areas, specifically including the landscaping, utility services, the security systems and rates and other charges payable by the HOA in respect of the common areas, and for the services rendered to it, and for the payment of all expenses necessary or reasonably incurred in connection with the management of the HOA and it's affairs.

The levies payable by Members shall be the same in respect of each residential erf and as such no distinction is made with regard to the size of the residential erf, the price paid in respect thereof, whether or not it is improved and irrespective of the extent of any improvements.

To ensure that the HOA is financially well established the developer will, during the development period, pay normal levies, excluding reserve funds, and special levies payable by members in respect of unsold erven and in addition thereto the developer will pay the shortfall between the income derived from levies paid by owners and all income from other sources and the actual operating expenditure of the association. The payment of Levies is detailed in Clause 8 of the Constitution and Clause 18 of the Estate Rules.

ESTATE RULES

The intention is to provide a comfortable, harmonious and secure lifestyle for residents and accordingly rules have been adopted to ensure and promote such lifestyle - harmonious community living is achieved when Members use and enjoy their private property as well as the communal areas and amenities of the Estate whilst generally considering all occupants of the Estate. The rules are not intended to limit the lifestyle and/or investment of residents, but rather to promote and protect them.

The Estate Rules deal with the day to day aspects of living within the Estate as well as time frames to commence and complete the construction of dwellings on residential erven - owners are to commence construction of their dwellings within 3 (three) years from date of first registration of transfer from the Developer and must complete construction within 14 (fourteen) months of starting.

DESIGN MANUAL

In order to protect the long term values of properties the Architectural design of all buildings within the Estate is controlled by a Design Manual adopted by the HOA. All building plans as well as plans for alterations and additions must be lodged with and approved by the HOA prior to submission for approval to the Local Authority – the Local Authority will not process any plans prior to the approval thereof by the HOA. The purpose of the Design Manual is to;

- o promote a coordinated and cohesive estate without sacrificing individual identity.
- o provide a degree of predictability with regards to the aesthetic design of dwellings.
- o protect established properties from haphazard building development.
- o assist individuals during the design/building process, and
- o ultimately to enhance the investment value of the Estate as a whole and individual properties in particular

The Design Manual allows for two Vernacular design approaches. The first design approach allows for a more Traditional Cape architecture, whilst the other allows for a more Contemporary Cape architecture in the design approach.

The primary controlling elements for both design approaches are the width and height of gables as well as roof pitches, ensuring a harmonious scale of built form. Window and door openings are limited to vertical format. To soften the façades larger window and door formats must be set back from the outer façade wall either under cover of a veranda roof or alternatively covered by a concrete eyebrow.

Both of the two architectural design approaches allow architectural elements to distinguish the estate by implementing Cape vernacular architecture. Such elements include large open gable ends with set-back glass facades to form a recessed porch. Vertical wall cladding is allowed as a contemporary façade treatment within the limits of the manual's prescriptions. Modest gable ends and clipped eaves form part of the overall designs.

LANDSCAPE GUIDELINES

Landscaping Guidelines have been adopted to create an integrated landscape with the emphasis on the open space and style that is characteristic of the Stellenbosch Winelands. The intention is to create consistency and harmony between the residential erven, the public spaces, open spaces and the surrounding nature.

The guidelines aim to preserve and enhance the existing attributes whilst minimizing possible negative impacts in order to promote the overall character and lifestyle of the Estate. All properties are to be landscaped in accordance with the guidelines.

BUILDING CONTRACTORS CODE OF CONDUCT

The HOA has adopted the Building Contractors Code of Conduct to ensure that construction is undertaken so as to minimize damage to the infrastructure of the Estate and that, where such damage occurs provision is made for reinstatement and to ensure that all construction is undertaken with due consideration to the environmental and other factors so as to minimize the inconvenience to owners and residents within the Estate and generally to ensure that work is undertaken in an orderly and harmonious manner. Further to the above all building activities are required to adhere to the Operational Environmental Plan adopted for the Estate.

The Owner, Building Contractor and Architect are required to sign an agreement with the HOA with the intention of achieving the above objectives. The HOA has the right to impose penalties, levy fines and suspend building activities if the Code of Conduct is not adhered to.