Swains Creek Pines®
New Neighbor Welcome Packet

Welcome to the neighborhood!

The Board of Directors of Swains Creek Pines® Lot Owners Association (SCPLOA) are glad you've decided to join our mountain community. We've assembled this packet of information to help you get settled and navigate life on the mountain.

Really important: It's not uncommon for folks to seek out information on Facebook and other websites. We urge you to be careful about relying on that information, as it can often be incorrect or outdated. You can always send an email to **questions@scploa.email** to get authoritative answers.

Also: Please do not rely on verbal assurances or "permissions." The only reliable answers are the ones in writing, either from the SCPLOA Board or our Architectural Review Committee (ARC). Relying on other sources, or on verbal "approvals," is the first step to a bunch of headaches. Please email us and let us help, instead!

The Rules

First, it's important to know that Swains Creek Pines consists of several phases of development, which we call **Units.** Each Unit has its own Covenants, Conditions, and Restrictions, known as CC&Rs. All owners within a Unit are bound by the CC&Rs; you do not have the ability to "opt out." You are bound by the CC&Rs whether you've read them or not.

You can access official CC&Rs under "Governing Documents" at SwainsCreekPines.com. Please do not rely on information gathered elsewhere. The CC&Rs are also on file with the Kane County Recorder.

All lot owners are required to abide by the CC&Rs. The Board is authorized, under Utah law, to assess fines when the CC&Rs aren't followed.

Annual Assessment

Each January, you will receive an invoice for you annual assessment. This assessment is payable upon receipt, and late fees will accrue monthly for unpaid assessments. If your assessment goes unpaid for more than 90 days, the Board refers your account to collections, which can include placing a lien on your property.

Please, please, please pay your assessment on time! SCPLOA works with a *very* modest annual budget, and every single assessment is needed to maintain the development.

Assessments can be paid via check to our bank lock box (address is provided with your invoice), or for a small fee can be paid via debit or credit card, or ACH withdrawal, using our Homeowner Portal at PayHOA.com.

Please set up your PayHOA account at your earliest opportunity, so that we have accurate contact information for you. That way we can ensure you receive not only official SCPLOA communications, but also our monthly SWAINS CREEK POST e-mail newsletter.

Before Your Build…

The various Swains Creek Pines Units have specific Architectural Requirements that must be followed. Basically, if you're making **any physical changes to your property or its structures, you need to obtain Architectural Review Committee (ARC) approval in advance.** Please don't waste your time and money—contact the ARC first!

- Outbuildings
- New decks
- New driveways
- Fences
- Cabin expansions
- New roofs
- New siding
- Painting

You don't need ARC approval to repair something—if you have a damaged deck board, please just fix it. However, if your repairs will make a noticeable visual difference in your

property—tearing down an old deck entirely and building a new one—please ask the ARC first.

ARC review is not a painful process. This isn't like suburban HOAs that have two paint colors to choose from and insist on a weed-free lawn! Our ARC wants to work with you to get your project approved and moving if at all possible. So please get in touch!

ARC standards and forms can be found on SwainsCreekPines.com and in the PayHOA portal (which is where you'll submit your requests).

It is unwise to "Ask Forgiveness Rather Than Permission." We know that's a popular philosophy, but "forgiveness" in this case can involve fines and being required to tear down work you've already done. Don't create that headache for yourself!

And *yes,* Utah law provides the Association with substantial ability to enforce the CC&Rs, so that *every* lot owner is treated equally and so that everyone can enjoy the kind of environment that they bought into.

On-Property Storage

Keep in mind that all Unit CC&Rs attempt to maintain the quiet, pastoral, mountain retreat character of our community. As such, most equipment—including trailers, ATVs, construction gear, and so on—must be stored out of sight if at all possible. Please respect your neighbors' right to a beautiful view.

Noise

Swains Creek Pines should be **quiet** after 10pm and until 9am. Those are the times when the kids (and grownups) need to have their ATVs parked, not zipping through the community. Pets should be quiet or indoors. Please, respect everyone's right to a peaceful and quiet evening on the mountain.

Pets

Pets must remain under your immediate control at all times, and may not roam freely. Some suggestions for your pet's safety:

- Don't use extensible leashes—these make it difficult to pull your pet back to safety if needed.
- Ensure your pet has a name tag with contact information.
- Have your pet chipped—the fire department has a chip reader and can help reunite pets with lost owners.
- Keep an eye on your pets even if they're tied up or fenced in outside—they're not the only critters on the mountain.

Swains Creek Pines is **home to more than a few wild, dangerous species of animals,** including fox, coyote, mountain lion, hawks, and more. Please keep your pet's safety in mind!

Firearm Safety

Just three simple rules:

- Do not discharge firearms anywhere within the boundaries of Swains Creek Pines. This includes airsoft guns, pellet guns, BB guns, etc. This isn't an Association policy, it's state law.
- Even if you're outside Swains Creek Pines, do not discharge any firearm within 600 feet of any building (Utah Statue 76-10-508).
- When you're in the forest, be incredibly mindful of sparks from ammunition hitting rocks. Carry water with you to extinguish fires. Stick around for ten minutes to ensure nothing has caught fire. Please don't be the family that burned down our mountain!

Short-Term Rentals

Short-term rentals are defined as any rental use of your property for less than 30 whole, consecutive days.

Swains Creek Pines does not allow short-term rentals. In addition, Kane County restricts short-term rentals to licensed properties only.

ATVs

All-Terrain Vehicles—whether side-by-sides, quads, dirt bikes, etc—are a great way to enjoy the mountain. However, there are a few restrictions on operating them in Utah in general, and in Swains Creek Pines specifically.

- The maximum speed limit for all ATVs and dirt bikes within Swains Creek Pines is 15mph. This is a government speed limit, not an Association policy.
- **Adult supervision is required for minors.** They cannot ride alone.
- All off-road vehicles must be licensed, either with a license plate for street-legal vehicles or a registration sticker for others. Note that Utah requires a plate for all registrations by Utah residents, and stickers for non-residents.
- All off-road vehicle operators, including adults with a valid driving license, must complete a one-time Utah training course and receive a certificate before operating an off-road vehicle anywhere, including in the Dixie National Forest and in Swains Creek Pines. Sheriff's deputies *do* enforce this law. Carry your certificate with you at all times.
- Please wear a helmet and appropriate protective clothing!
- Please review https://recreation.utah.gov/off-highway-vehicles/education/ohv-laws-and-rules/ for more information from Utah.

Recreational Vehicles

For the most part, **start with the assumption that you may not park an RV on your property.** This includes all forms of trailers and motorhomes. Now, let's cover some exceptions:

- Kane County permits you to park an RV on your property if you are living in it while constructing your permanent dwelling. This requires an active county building permit, prior ARC approval, and a written RV waiver fro the SCPLOA Board. Contact our ARC for details. This RV use is strictly time-limited.
- Most lots in Swains Creek Pines Unit 1A are permitted to park most RVs under specific circumstances and under specific time limits. Please review the Unit 1A CC&Rs or contact questions@scploa.email for more information.

You may see RVs parked elsewhere in Swains Creek Pines, and some may be parked for an extended period of time. This is under a special grandfather clause for families who were using their lot for RV parking prior to a specific date. These grandfather clauses apply to the **family owning the lot** and **not to the lot itself.** These grandfather allowances are non-transferable.

The Pond

Each lot owner is provided with a single Fishing Permit, and provided with an annual Permit Sticker. If you purchased your lot and the prior owner did not provide a Fishing Permit, you will need to purchase a replacement, in-season at the Barn, for $10.

Each Fishing Permit is valid only for the possession of up to 4 Rainbow Trout per lot, per day, taken only from the Swains Creek Pines pond.

You **must have your permit in your possession while fishing. No exceptions.** This is so that we can prevent non-owners (and their guests) from removing the fish that you help pay for. Please be patient if our on-site property manager asks you to show your permit, and please leave the area if you've forgotten it.

We do not permit watercraft of any kind in the pond, nor do we permit swimming.

During the winter, ice skating is permitted on the pond **at your own risk.** Please be incredibly careful to check the ice thickness, and know that the ice thickness is never uniform across the pond.

The Runway

Our runway is **an active landing strip.** Absolutely no people or vehicles are permitted on it at any time. Damages to the runway will be charged to your PayHOA account. There is an exception for snowmobiles, which may use the runway during the winter when there is at least six inches of snow on the ground. However, any snowmobile damage to the runway will still be charged to you.

Utilities

- **WATER:** Kane County Water Conservancy District. **https://kcwcd.com/**
- **ELECTRIC:** Garkane Energy: **https://www.garkaneenergy.com/**
- **PROPANE:** Varies by lot.
  - Garkane Propane: **https://www.garkaneenergy.com/**

  - Blackburn Propane: **https://blackburnspropane.com/**
  - AmeriGas: **https://www.amerigas.com/locations/propane-offices/utah**
- **TELEPHONE:** South Central Communications: **https://scbroadband.com/**
- **INTERNET:**
  - South Central Communications: **https://scbroadband.com/**
  - Starlink: **https://www.starlink.com/**

The question of Internet service comes up a lot. South Central Communications is a cooperative corporation, and provides Digital Subscriber Line (DSL) service to almost all of Swains Creek Pines. However, SCC's service speeds can be slow and, in some areas, unreliable due to the age of the infrastructure. They are usually great about working with owners to resolve these issues.

Starlink is a satellite-based service that has proven very popular with our owners, and is fairly easy to self-install. However, Starlink does limit the number of users in each area, and so there is no guarantee you will be able too obtain service.

As for cell phones, all major carriers—AT&T, Verizon, and T-Mobile—get fairly spotty service. Some folks have had luck with AT&T repeaters, which strengthen the signal within your cabin. T-Mobile users will often roam to AT&T (no charge), but even then you're sometimes lucky to get one bar. Most carriers work well in the Village. Keep in mind that **calling 911 from your phone may not work,** especially if your phone is calling over WiFi. Many people pay for a landline from South Central Communications just for emergencies (some plans can be "paused" over the winter if you're not full-time).

Trash

In-season (roughly May-October), a set of dumpsters is provided adjacent to the horse pastures along Swains Creek Pines' main road.

Off-season (roughly November-April), the dumpsters are moved close to the barn.

Additional dumpsters ar provided near the fire station on Mammoth Creek Rd.

Western Kane County Special Services Division (WKCSSD) will remove dumpsters from communities that abuse them. Keep in mind that the dumpsters' contents are headed for a specific pit at the county garbage facility, and those pits are licensed by the government for specific uses. If you put the wrong stuff in the dumpsters, we will lose this incredibly convenient service. **Don't be that person.**

What's allowed:
- General household trash, including kitchen garbage, broken-down cardboard boxes, etc.

What's **never allowed even if you see someone else doing it:**
- Furniture of any kind or size
- Large appliances of any kind
- Mattresses
- Any kind of construction waste—if it came from a hardware store, it's probably not allowed, including:
  - Wood scraps

- Drywall scraps
- Paints, adhesives, solvents, etc.
- Roofing materials
- Plumbing materials
- Bathroom fixtures, including sinks, showers, and toilets
- Electrical materials
- Windows and doors

These items can be taken to the county dump, who will direct you to a properly licensed pit. The dump is near Glendale, and isn't far. If you are doing a big project, contact WKCSSD (https://wkcssd.com/) about renting a private dumpster for your project. They are able to provide dumpsters that can accept construction waste. These rentals are quite affordable, and WKCSSD is very easy to work with. Get in touch at https://wkcssd.com/

Lighting

Note that each Unit has specific CC&Rs regarding outdoor lighting. Generally speaking, your lighting may not diminish your neighbors' enjoyment of our beautiful, starry night sky. Lights should be close to whatever they're lighting (e.g., the ground) and point down, not up or outward. Large-area floodlights are problematic, for example. When in doubt, please file an ARC request *before* you spend money on lighting equipment.

Events

During the season, SCPLOA hosts and runs many different events, including bingos, swap meets, pot lucks, and more. Be sure your PayHOA.com account has an updated email address so that you'll receive notification for these.

You and your guests are always welcome to attend. Some events do have small fees to help cover expenses, and you will need to pay those in cash, please. Volunteers are also needed, welcomed, and appreciated to help with event set-up, operations, and tear-down.

Some of our big annual events include:

- Camp Golden Eagle—fun and activities for the entire family
- Annual BBQ Pot Luck (Labor Day weekend)
- Stop Shop 'n' Swap flea market/swap meet (usually in early July)

More information can also be found at **SwainsCreekPines.com.**

Fire Protection

Sadly, wildfires are a reality. But you can do a *lot* to help your property be fire-safer. Start with the "Fire Council" page on SwainsCreekPines.com, and don't forget that you can always contact the Cedar Mountain Services Department (fire department) for additional tips. The Fire Department is always willing to come look at your property and offer advise on trees to keep, trees to trim, and trees to consider removing. And they're not, "remove everything within 100 feet of your cabin!!!" They're actually very reasonable, very helpful, and very friendly. Give them a try.

Common Amenities

Swains Creek Pines offers a number of common amenities: Our Barn and Pavilion (which members can reserve for private events), playground, pond (seasonally stocked with rainbow trout), fenced horse pastures (available on reservation), and our air strip. Fun fact: the Association doesn't own these amenities. Basically, they're "on loan" from the original property developer, and we get to keep them so long as we maintain them. If we fail to maintain them, they revert back to the developer, who can then develop them or sell them as they wish. As that could include commercial development, we're very careful to maintain them, and that's a big part of what your annual Assessment goes toward.

Board Meetings

In accordance with Utah law, all Board Meetings are open to all owners. We announce these via email to whatever address is registered in PayHOA.com. Expect meetings monthly during the season, and we often take a break for March-April when there's not much happening. You can attend in person during the season, or via virtual meeting services anytime. Meetings always include a time for owners to address the Board for 3 minutes—we'll ask you to sign up at the start of the meeting so we know who to call on.

Reserve Fund

One thing you'll hear us talk about a lot at the Board Meetings is our Reserve Fund. This is something that Utah requires us to study, which usually means hiring a specialized consulting firm. Basically, the Reserve Fund is our way of budgeting for future repairs to things that we know have a specific life span. For example, the Reserve Fund pays for a new roof on the Barn every couple of decades, to refresh the ground cover at the playground, and that kind of thing. Every year, a little bit of your annual Assessment goes into the Reserve Fund, to help pay for those future expenses. Our Reinvestment Fee (which is charged when properties change hands and usually paid by the buyer) also feeds into the Reserve Fund. The Reserve Fund Study tells us how much we should be saving, and when we should expect different expenses to kick in. It's the Board's obligation to keep the Reserve Fund healthy.

Joining Lots

If you own two or more adjacent lots, you have the option to *join* them. This is a legal process: you'll be required to hire a licensed surveyor, who must draw up new property maps and submit them to Kane County's council (it can be fairly expensive). If the county accepts your "joinder," then the old lots cease to exist and a new, larger lot is born. You are required to notify the Association of your completed joinder, and pay an administrative fee. Once you do so, your annual Assessment will be for the single, new lot, rather than the former individual lots. Joinders are required if you intend to build across property lines.

Management Company

Because the Association Board is unpaid (and not allowed to be paid), Swains Creek Pines has hired a community management firm, currently Administrative Business Solutions (ABS). They handle receipt of annual Assessments, processing of ARC applications, and much, much more. This is who you'll usually hear from, and they're the ones who run the PayHOA.com portal for us. They're a perfect first point of contact for any questions you

might have, and we keep their contact info updated on https://SwainsCreekPines.com . The email address questions@scploa.email also goes to them.

Snow

Be aware that the Association does not pay for snow plows in the winter—those are handled by the county, since our roads are county roads. Their rule is that plows will only be dispatched if snow is at 4.5" deep *and snow is still falling.* Once things hit that point, you'll see plows or blowers start to roll.

SR-14 and US-89 will get plowed sooner than that.

You and any guests should be prepared to drive through at least 4-5" of snow, which may be especially challenging going up hills.

Keep in mind that you are *legally required* to have snow chains with you on SR-14 from 1-November through 30-April. The county therefore assumes you can install your chains to get in and around the community roads. If you aren't properly equipped, *don't drive.*

Also keep in mind that the plow drivers *try their best* not to build up a berm in front of driveways *where they know someone is living full-time.* They can't avoid every driveway entry, though—sometimes there just isn't anyplace else to push the snow. *You* are responsible for clearing your driveway *and the entry.* Please prepare accordingly! There are folks on the mountain who take contracts for driveway clearing, and of course you can supply your own snow blower, attach a plow blade to your ATV, etc. Do bear in mind that *you* may not push snow intot he public road and create a blockade—the Sheriff can cite you and charge you to have the road re-plowed.

Mail & Package Delivery

The United States Postal Service (USPS) **does not deliver** to Swains Creek Pines. If something comes to your address on the mountain, it will be held at he Cedar City Post Office, which is located on Main Street.

UPS and FedEx **will deliver** to your door provided they can get through—in the winter, deliveries may be delayed or left with a neighboring property that they can reach.

If you're full-time on the mountain, you can visit the Cedar City Post Office to request a mail box, which is located in a shipping container on Mammoth Creek Rd. These are often on a wait list; Cedar City will offer you a free PO Box in their location of none are available on Mammoth. The Mammoth mailboxes are run by a private contractor on a "Highway Contract" (HC) with the USPS, so be a little patient if you're requesting a box.

If you have a box on Mammoth, practice proper "dual addressing" to make sure packages get delivered:

John Doe	<— Your name
123 Pinetree Trail	<— Physical address goes first
HC 82 Box 8910	<— "HC" box goes next
Duck Creek Village, UT 84762	<— City, State, ZIP

Tips for Safety & Sanity

Finally, here are some tips to help keep you happy and healthy while you're on the mountain—and while you're away! We've collected these from your new neighbors, and we hope yo find them useful!

- **Turn off your water meter** when you're not in your cabin. This is really important: if there's a leak, having the meter off will keep it from destroying your cabin. The water company is not responsible for leaks on your side of the meter. If you're not sure where your meter is, contact the water company. (In season, you can also see if our property manager, in the Barn, can come by and help you find your meter.) If you don't have a meter "key," you can usually get one from the Cedar Mountain Country Store (True Value) in Duck Creek Village. You do not need to remove the meter cover to access "your" side of the meter—there should be a key hole (often with a tall piece of PVC pipe attached) right next to the main meter riser.

- **Know if you have a seasonal or year-round cabin.** Some cabins that were built for seasonal use do not have water and sewage lines buried deeply enough to avoid freezing in the winter. Not a problem if you're not there (and your water meter is off), but pretty unpleasant if you are in over the winter and didn't expect things to freeze up. A general contractor may be able to help you assess your situation if you're unsure.

- **Check light timers.** When you're not in your cabin, there's no reason to have all your interior and exterior lights blazing all night long—save yourself some electricity costs, and let your neighbors enjoy the dark, beautifully starry night sky.

- **Tire chains** are required through all of November, December, January, February, and March. Even if the roads are clear, you should have chains with you (a sheriff's deputy can cite you if you don't). We recommend the correct size Peerless® Chain Auto-Trac® product—they're very easy to put on if you get stuck, without having to drive over them. Although Swains Creek Pines roads are plowed by the county, that still usually leaves a thin layer of snow and ice, and it's very easy to get stuck.

- **Drive with care** when the roads are snowy or icy. Every year, a half-dozen or so vehicles go right off the road because they're overconfident and didn't see that patch of ice on the curve. This happens on paved roads like SR-14. Please, please, please be a bit more careful than you think you need to be!

- Garkane Energy can hook you up with a "GenerLink" device on your electrical meter. These ain't cheap, but they let you connect a compact generator with no further fuss or muss. It's a good way to provide some backup power for the most essential items, like a fridge and/or freezer. There are also GenerLink options that provide whole-home surge protection, which can help protect stuff like your TV or computer. Contact Garkane for details.

- If you plan to install a full-home backup generator (e.g., Generac), make sure you plan e it where it'll be protected from being buries in snow. Those things need fresh air intake and a clear exhaust to work properly. And, if this will require modifications to your cabin (say, building an overhang), you do need to file an ARC request before beginning.

- **Get to know your neighbors!** Say hi if you see them out, hang out for snacks or a beer or whatever, and be friendly. You never know when you may need someone to check in on your cabin for you. Trade phone numbers! And with that in mind, consider putting a

keypad lock on one door of your cabin, so that you can give someone else the code over the phone if need be.

- **Drain your hot water heater for the winter** if you're not staying up. It's very common for the power to go out in some areas in the winter, and if the water in the heater freezes, you'll be looking at a new heater come spring. Especially old heaters may have a lot of sediment in the bottom that prevents them from draining—consider a replacement. A lot of folks have been happy with tankless on-demand water heaters, which take less winterizing.

- Consider **smart switches, thermostats,** and other devices you can monitor and control remotely, especially if you have full-time Internet connectivity. Cameras aren't bad for peace of mind, either. It can be especially vexing and expensive to head out and forget that nobody set the heater back, and your cabin is a snug 72° with nobody in it, burning propane and/or electricity all the while.

- Attics with fiberglass insulation can be especially attractive to pack rats, and once they're in, they're hard to get rid of. Seal up the smallest access points with steel wool and duct tape, and consider blown insulation for a future upgrade.

- Speaking of critters, block up drains, use draft stoppers on your doors, and close up air vents—these are all popular entry points.

- Keep food in sealed hard containers—metal or plastic.

- If you're up for the winter and there's a storm ahead, **back** into your driveway so that you can pull out easily. And consider investing in an inexpensive windshield cover—they make it SO much easier to clear your windshield of snow and ice, and they keep your wipers from freezing down.

- A Board member has put together facebook.com/swainscreek, which has a list of items you may find useful in your cabin (including some fun treats that are special to Utah). Check it out!

Keep in Touch!

Finally, if you use Facebook, look for the **Swains Creek Pines Lot Owners Association** group as a way of meeting and keeping in touch with your mountain neighbors all year long. A distinct **Swain's Creek Pines Fulltime** is especially for folks who are on the mountain year-round.

Note that both groups have common-sense rules of the road, and everyone appreciates you respecting those.

And of course, **questions@scploa.email** will put you in touch with our management company, who is here to help during business hours.