

DOMINION STATION HOMEOWNERS ASSOCIATION, INC.

**Policy Resolution No. ____
(Rules and Regulation Relating to Yard Maintenance)**

WHEREAS, Article 8, Section 8.3(a) of the Declaration of DOMINION STATION HOMEOWNERS ASSOCIATION, INC., authorizes the Board of Directors to adopt and publish rules and regulations governing the Association;

WHEREAS, there is a need to establish orderly and equitable rules and regulations regarding upkeep of lot within the community; and

WHEREAS, Article 7, Section 7.2 states that each owner shall keep such Owner's Lot and all improvements located on the Lot in good order, condition and repair and in a clean and sanitary condition, including without limitation all necessary grounds maintenance as may be otherwise provided in a supplemental Declaration which had not been prepared or recorded by the original Declarant; and

WHEREAS, Article 7, Section 7.2 requires notice to the Owners of any condition complained of, and permits the notice to be thirty days or such other period as may be specified in the notice provided circumstances warrant a different notice period; and

WHEREAS, the Board has determined that lot maintenance in a timely manner is required to enhance and maintain property values within the community and that the notice period of thirty days for certain yard maintenance items is detrimental to the surrounding lot owners and the community as a whole; and

NOW, THEREFORE, BE IT RESOLVED THAT the Board adopts the following policies regarding lot maintenance and notice requirements to Lot Owners concerning upkeep of their respective Lots.

I. UPKEEP OF LOTS

The Association, by its Board of Directors, its Architectural Review Committee or by its Agent and Property Manager, shall conduct routine and regular inspections as needed to determine when yard Maintenance is needed.

1. Owners are required to keep their Lots in a neat and orderly condition, in good repair and condition and in a clean, sanitary condition and shall perform, on a regular and routine basis Yard Maintenance which includes periodic lawn mowing, edge trimming, shrub pruning and maintenance, tree pruning and maintenance, basic weed and pest control as need and as required to maintain yard, shrubs and trees.
2. Owners shall mow grass, maintain trees, shrubs and lots in keeping and in compliance with good property maintenance standards as are generally accepted within the Dominion Station Community.
3. Yard Maintenance shall occur on a regular, routine basis as needed. The Standard shall be when the grass exceeds the height of surrounding lots or exceeds the height recommended by the Association's professional land care specialist.
4. Trees and shrubbery shall be trimmed and maintained to complement the Lot, and must be trimmed when they begin to or encroach upon the existing structures, or sidewalks and driveways, or when the shrubs and trees impede or impact the adjoining Lots.

II.VIOLATIONS AND NOTICE PROCEDURES

The Board of Directors authorizes the Association's agent to provide notice as required to that Owner which the Agent has determined, in its sole opinion and discretion, are in violation of the generally accepted Yard Maintenance standards within the community, or as determined by consultation with the Association's professional landscape personnel.

1. Owners in violation of the community Yard Maintenance standards will be provided with a four (4) day notice to bring their lot in compliance. The Notice of Violation shall be transmitted to the Owner by regular, first class mail and by letter posted on the door of the townhouse unit.
2. Owners shall contact the Management Office regarding their compliance with the notice provided, and the community manager may grant, but is not required to grant, an extension of time to bring the Lot into compliance at her/his discretions.
3. At the conclusion of the notice period, the Association shall have the right, without further notice, pursuant to Section 3.3 and Section 12.1(f) of the Declaration, to rectify the condition by taking remedial action as needed to have the violation corrected.
4. Owner shall be issued a "Notice of Reimbursement" from the Association, requiring the Owner to pay to the Association those charges associated with the issuance of the notice of the violations, and the cost to remedy and cause the Lot to be brought into compliance with the Association's Yard Maintenance standards and or the Association's Governing Documents.
5. The Notice of Reimbursement shall state that the payment must be remitted to the Association within Thirty (30) days. Failure to pay within the Thirty (30) days shall result in the addition of the charges assessed in the Notice of Reimbursement to the assessment account of the Owner, and such charges deemed an assessment.
 6. Multiple 'Notice of Violation' letters issued to an owner between the months of April and November shall result in additional sanctions for continued non compliance as set out in Policy Resolution No. 2, Enforcement Procedures.
7. Non-receipt of any notice provided by the Association shall not be grounds for failure to correct the violations, or to pay the charges, assessment or reimbursed expenses incurred by the Association to elicit compliance with these Regulations.

III.RESPONSIBILITY

Nothing in this Resolution shall be construed to hold the Association or the Board responsible for damage to realty, fixtures or loss of property from the Lot.

A. This Resolution is intended to serve as a protection to Members to ensure that their rights are protected and to serve as a guideline for the Board as it carries out its duties to enforce the Regulations. The Board may determine the specific manner in which the provisions of this Resolution are to be implemented, provided that due process is afforded. Any inadvertent omission or failure to conduct any proceeding in the exact conformity with this Resolution shall not invalidate the results of such proceeding, so long as a prudent and reasonable attempt has been made to ensure due process according to the general steps set forth in this Resolution.

B. Notwithstanding any provision of this Resolution, the Association may initiate legal action at any time, and all legal fees and costs shall be assessed and attributed to the lot owner responsible for the offense. Lot owners shall be responsible for the offenses of their tenants and their guests.

C. The failure of the Association to enforce any right, condition or obligations shall not be construed as a waiver of the right of the Association to enforce such right, condition or obligation in the future.

D. This Resolution shall supersede and replace any prior Resolutions or Rules and Regulations adopted that conflict with the specific terms of this Resolution. In the event of a conflict, the Board of Directors shall determine the prevailing provisions that are applicable to the facts presented.

DOMINION STATION HOMEOWNERS ASSOCIATION,
INC.

By: _
George McFadden, President
Board of Directors

I hereby certify that the foregoing Resolution was duly adopted at a regular meeting of the Board of Directors of Dominion Station Homeowners Association, Inc., this _____ day of , 2004.

This Resolution will become effective 30 days from the day attested hereto.

Secretary
Board of Directors

DOMINION STATION HOMEOWNERS ASSOCIATION, INC.

RESOLUTION ACTION SHEET

Resolution Type: Policy

Pertaining To: Pertaining to Yard and Maintenance

Duly adopted at a meeting of the Board of Directors held on

Motion by: _____ Seconded by: _____

VOTE:
YES NO ABSTAIN ABSENT

President

Vice President

Member at Large

Treasurer

Secretary

ATTEST:

Vice President

File:

Book of Minutes: 2004

Book of Resolutions:

Book No. Page No.

Policy

Administrative

Special

General

Resolution effective: , 2004

Resolution expires: N/A

CERTIFICATE OF MAILING AND DISTRIBUTION

I hereby certify that the foregoing Policy Resolution No. ____ (Rules and Regulations Relating to Yard Maintenance) of Dominion Station Homeowners Association, Inc., was duly mailed, regular first-class mail, to the Lot Owners of record on this day of , 2004.

Tina Curtis, Community Manager

private:stream