

The Board would like to try and update the Covenants again in regards to Section 10 – Parking of Trucks and other Vehicles. We would like to clarify the vagueness of this Covenant. We would also like to introduce a new section in to the Covenants which allows the Association a means to enforce the Covenants. Please review this document. We'll discuss this at the Annual meeting before creating a final voting ballot.

It is important that everyone attend this meeting. Participation by all is necessary if we are to maintain an attractive, appealing and safe neighborhood. These proposed changes are expected to do so. Your input and comments are vital. To make these changes, the Covenants require a 75% approval of the lot owners.

Proposed change to Section #10 - Parking of Trucks and Other Vehicles

Prohibitions:

No commercial trucks, commercial trailers, tractor trailer, semi-trucks/trailers; large travel trailers, watercraft, RVs, campers, mobile homes, buses, box trucks, or step vans shall be permitted to be parked upon any lot or in front of any lot.

Exceptions:

Any non-commercial vehicle under 23 feet in length and seven feet in height, including but not limited to pickup trucks, watercraft, travel trailers and campers, will not be prohibited as described in the above section. Acceptable watercraft, travel trailers and campers are expected to be stored or parked in an enclosed garage or out of sight in the rear of such lot.

Furthermore, passenger vans, SUVs and pickup trucks, used for primary personal transportation, and no commercial purpose whatsoever, will not be considered commercial vehicles provided they do not meet the definition of a commercial vehicle described below. Additionally, SUVs or Vans equipped for a medical and documented need are also excluded from the prohibitions enumerated herein.

Commercial Vehicles:

For purpose of this section, commercial vehicles will include vehicles or trucks with a curb weight of more than 10,000 pounds, overall length in excess of 23 feet, has more than two axles, vehicles with commercial license plates, vehicles with blatant commercial markings, advertising appearing on the exterior, or vehicles equipped with obtrusive attachments, equipment or implements of a commercial trade.

Temporary Presence:

Aside from the prohibitions described herein, any recreational vehicle used primarily for travel may be parked/stored on the lot no longer than 72 hours before and 72 hours after the travel. Under no circumstances shall the vehicle be used as a living quarters.

It is further provided that any vehicles used for the purpose of construction, delivery, or any other commercial services shall be permitted to park on or in front of any lot until the work is completed within a reasonable time.

Proposed addition – Section #16 - VIOLATIONS

Enforcement:

The Board of Directors (Board) may levy fines for violations of any section within these Covenants and Restrictions.

Upon discovery of a potential violation, the Board or its representative may issue a warning to the homeowner citing the specific violation, the required corrective action and timeframe required, and if appropriate details for appealing.

Fines:

Failure of the homeowner to respond within 14 days of the warning date may mandate the issuance of fines in the following manner: \$50 for the initial occurrence; and at the timely discretion of the Board assess a second fine of \$100 with a possible third fine of \$150 for the ongoing ignored same occurrence. Nonpayment of any uncontested fines may be handled by the Board in the same manner as nonpayment of HOA Association dues including assessing penalty interest and property liens.

Additionally, the Board reserves the right to seek redress for any violation, depending on its severity and urgency, in a court of competent jurisdiction. For example, it is likely the Board would pursue legal action against the homeowner if the assessment of fines previously discussed does not affect the correction of the violation. The offending homeowner may incur both their own legal fees as well as any special association fees assessed to all neighbors due to the legal action.

Appealing:

Within 14 days of the receipt of a warning of the alleged violation, the homeowner may request a meeting with the Board to discuss and seek a mutually agreeable solution to accommodate all concerns.

All enforcement action will cease until after a formal letter is issued by the Board following the appeal's meeting and within 45 days of the warning. The letter will summarize the meeting, state the findings and conclusions, and any subsequent Board action. Unless additional facts are presented, Board action will be final.

Exemption:

It is noted that there may be cases where violations cannot be completely and immediately corrected. In these cases, the homeowner may wish to seek an exemption from the cited violation and should therefore follow the Appeal's process discussed previously.

If merited, a temporary exemption may be approved for a period no longer than 90 days with additional time possible. In rare cases, a permanent exemption may be authorized if safety, unreasonableness, and curb appeal are not issues.