

BROADLANDS ASSOCIATION, INC.
POLICY RESOLUTION NO. 2013-1

Procedures and Standards Relating to Yard and Lawn Maintenance

WHEREAS, Article 3, Section 3.4 of the Declaration for Broadlands states that unless otherwise specifically provided in the Act or the Association Documents all rights, powers, easements, obligations and duties of the Association may be performed by the Board of Directors on behalf of the Association; and

WHEREAS, Article 4, Section 4.1 of the Bylaws of the Association states that the business and affairs of the Association shall be managed by the Board of Directors elected in accordance with the procedures and for the terms of office set forth in Article 5 of the Articles of Incorporation and Article 3 of these Bylaws; and

WHEREAS, Article 8, Section 8.3 of the Declaration and Article 4, Section 4.1 (4) and (6) of the Bylaws permit the Board to adopt and amend Rules and Regulations restricting and regulating the use and enjoyment of the Property not inconsistent with the Association Documents, and to enforce the provisions of the Association Documents, respectively; and

WHEREAS, Section 55-515 of the Virginia Property Owners' Association Act, Code of Virginia (1950, as amended) ("POAA") requires that all lot owners (hereinafter, "Lot Owner" or "Member") and their tenants, guests and invitees comply with the Association Declaration and all provisions of the POAA; and

WHEREAS, Article IX of the Declaration permits the Board of Directors to regulate the external appearance, use and maintenance of Lots in the Association; and

WHEREAS, Article XI, Section 11.1(d) of the Declaration provides that the violation of any of the Rules and Regulations or the breach of any other provision of the Association Documents shall give the Board of Directors the right to enter the portion of the Property on which, or as to which, such violation or breach exists and summarily to abate and remove, at the expense of the defaulting Owner, any structure, thing or condition that may exist therein contrary to the intent and meaning of the provisions of the Association Documents or the Rules and Regulations, and the Board shall not thereby be deemed guilty of trespass; and

WHEREAS, Article XI, Section 11.1(h) of the Declaration requires that certain due process rights be observed in connection with enforcement action taken by the Association as to lot owners in violation or breach of the Declaration, the Rules and Regulations; and

WHEREAS, for the benefit and protection of all owners, the Board deems it desirable to formally adopt a policy resolution to ensure that all lot owners maintain their yards and lawns in a neat and orderly condition.

NOW, THEREFORE, BE IT RESOLVED THAT:

I. Standards for Lawns and Yards

A. Lawn & Grass.

Lot Owners and residents shall ensure that all grass lawns on their Lots, including in the back of the residence, are regularly mowed so as to keep a neat appearance of the lawn and Lot. Grass height shall not exceed six (6) inches. Lot Owners and residents are responsible for maintaining the health and good appearance of lawns on their Lots, which may include seeding, watering (subject to government restrictions), weed removal and edging and other tasks, as required to properly maintain lawns.

B. Weeding & Pruning.

Lot Owners and residents shall keep their properties free of excessive weeds, overgrown or unsightly shrubbery or other plant growth. Lot Owners and residents shall undertake any weeding and mulching of planted beds, and pruning of shrubbery and trees which is necessary so as to keep a proper, neat and clean appearance of the Lot. Any lot which borders a sidewalk shall ensure that any trees which overhang the sidewalk are trimmed to provide a minimum height of eight (8) feet, measured above the sidewalk level, free of obstruction. No trees with a diameter of more than four inches and measuring two feet above ground level shall be removed without the express written authorization of the Covenants Committee or Board of Directors. Lot Owners and residents shall remove any and all dead plants and shrubs from their Lots.

C. Trash & Refuse.

Lot Owners and residents shall maintain their Lots to be free from all litter, trash, debris or other objects. It is the responsibility of the Lot Owner or Resident to ascertain the trash collection requirements for any item they wish to discard, including used appliances and other items which require special pick-up or removal, and to ensure that such item is promptly collected by the appropriate trash collection service.

D. Neat Appearance.

No unsightly conditions shall be permitted to be maintained upon the Lot. The Covenants Committee and/or Board of Directors shall use its sole discretion in determining said conditions.

II. Enforcement.

A. Warning and Opportunity for Hearing Notice.

Warning and Opportunity Notice. The Covenants Committee or other agent of the Association shall notify the Lot Owner of any condition on the Lot which constitutes a violation of the standards set forth herein by mailing a Warning and Opportunity for Hearing Notice requiring compliance within ten (10) days of the date stated on the Notice. The Notice shall describe the violating condition and state the method for correction. The Notice shall advise Lot Owners that should the violation not be corrected or if the Lot Owner does not request a hearing in ten (10) days, the Association will take corrective action described in section C below. Notice shall further state that the Lot Owner may be assessed additional charges as allowed by Section 55-513 of the Virginia Code. If the Owner does not occupy the Lot; the Association shall mail the Notice to the address of the Lot Owner as listed in the Association's records.

B. Hearing.

If the Lot Owner requests a hearing, the Lot Owner will be sent a Notice of Hearing not less than fourteen (14) days from the date of the hearing, by U.S. Postal Service and Certified Mail, return receipt requested. Hearings regarding compliance with this Resolution shall be held in accordance with the Association's usual procedures regarding hearings and shall be conducted to ensure that the Lot Owner has an opportunity to be heard regarding any assessment of charges, corrective action to be taken or alleged violation of this Resolution. Lot Owners may be represented by counsel at the hearing.

C. Corrective Action.

If the Lot Owner does not cure the violation or request a hearing as requested in the Notice by the deadline set forth therein, the Association (or its authorized agents or contractors) may enter the Lot and cure the violation at the expense of the Lot Owner. The Lot Owner shall be assessed all the costs of any corrective action and may be assessed additional charges in the amounts permitted under Section 55-513 of the Virginia Code.

D. Photographs.

Prior to the Association correcting the condition, the management staff, or other authorized person, may take date stamped photos of the violating condition for the Lot Owner's file.

E. Other Actions.

This Resolution shall not be construed to prevent the Association from immediately abating violations on Lots when the condition on the Lot constitutes an emergency and requires immediate action, as contemplated by Section 11.1(h) of the Declaration or as otherwise required or justified by law. An emergency shall include, but not be limited to,

any condition on a Lot which threatens the health or safety of any person, any Lot or the Common Area.

The effective date of this Resolution shall be July 11, 2013.

BROADLANDS ASSOCIATION, INC.

A handwritten signature in black ink, appearing to be 'BB' with a long, sweeping horizontal line extending to the right.

Brian Beahm, President