

ASHBROOK HOMEOWNERS ASSOCIATION, INC.

Policy Resolution 20-02

(Policy Relating to Lawn Mowing)

WHEREAS, Article VII, Section 1 (a) of the Bylaws of the Ashbrook Homeowners Association, Inc., (the "Association") empowers the Association's Board of Directors to adopt rules and regulations governing the use of the Association's Common Area and any improvements thereon, and any improvements or areas shared with nearby communities as well as the personal conduct of the Members and their guests; and

WHEREAS, Article VII, Section 1 (d) of the Association's Bylaws empowers the Association's Board of Directors to exercise for the Association all powers, duties and authority vested in or delegated to the Association that is not reserved to the Membership by other provisions of the Association's Bylaws, Articles of Incorporation or Declaration of Covenants, Conditions Restrictions, Easements, Charges and Liens (the "Declaration"); and

WHEREAS, Section 9, Subsection 9.5 of the Association's Declaration states that all unimproved open areas on a Lot must be a lawn that must be mowed to a height not exceeding four (4) inches; and

WHEREAS, Section 9, Subsection 9.5 of the Association's Declaration states that Association the right to enter any Lot to (a) trim or prune any tree, hedge or other planting whose height or location on the Lot is, in the Association's judgment, unreasonably detrimental to any adjoining property, is unattractive or obscures the view of street traffic from any lot or (b) cure any violation of the Declaration relating to lawn care; provided that the Lot owner is given fifteen (15) days prior written notice of the action and the Lot owner is obligated to pay the Association all reasonable expenses incurred as a result of the Association's actions; and

WHEREAS, the Association's Board of Directors recognizes that mowing a lawn in accordance with the requirements of the Declaration enhances the value of the entire community; and

WHEREAS The Association's Board of Directors deems it beneficial to the Association to mow lawns that exceed four (4) inches in height and charge back the Owner the costs of such service, after providing the required notice.

NOW THEREFORE, BE IT RESOLVED that the Association's Board of Directors adopts the following policy:

1. All Owners shall mow their laws to a height not exceeding four (4) inches in height.
2. In the event an owner fails to mow his or her lawn and the height exceeds four (4) inches, it shall be considered in violation of the Declaration.
3. If the height of the lawn exceeds four (4) inches, the Association, through its management agent shall provide the Owner a "Force Mow Notice" advising the Owner

that if the lawn is not mowed within fifteen (15) days from the date of the notice the Association shall retain a contractor and have the lawn mowed at the Owner's expense. There shall be no other notice other than the "Force Mow Notice".

4. If the lawn is not mowed within the fifteen (15) day period identified in the "Force Mow Notice" the contractor shall enter the Lot and mow the lawn. This service and notice period shall only relate to lawns and no other exterior maintenance of the home.
5. The cost of the forced mow shall be one hundred dollars (\$100.00) for a single family home and fifty dollars (\$50.00) for a townhome.
6. The Owner is not absolved of his/her responsibility to mow the lawn if the Association fails to provide the "Force Mow Notice" or provide the mowing service.
7. The Association reserves the right to pursue any other enforcement remedies available to it, including the right to file suit against any non-compliant owner.

This Resolution shall repeal any other Rule/Resolution relating to the lawn mowing and shall become effective on March 1, 2020.

ASHBROOK HOMEOWNERS ASSOCIATION, INC.

By: 
Marla Regan (Apr 24, 2020)

President

By: _____
Secretary