

FAIR WOODS HOMEOWNERS ASSOCIATION

POLICY RESOLUTION NO. 2013- 03

(Rules Regarding Portable On Demand Storage Units)

WHEREAS, Article III, Section 3(b)(1) of the Fair Woods Declaration of Covenants and Restrictions ("Declaration") provides that the Association's Board of Trustees ("Board") shall have all powers for the conduct of the affairs of the Association which are enabled by law or the Governing Documents which are not otherwise reserved to the Members;

WHEREAS, Article III, Section 3(c)(2) of the Declaration empowers the Board to establish rules and regulations for the use of the Common Areas and individual Lots; and

WHEREAS, Article VI, Section 1(d) of the Declaration provides that the Board shall from time to time adopt general rules regulating potential problems relating to the use of property; and

WHEREAS, Article VI, Section 2(a) of the Declaration provides that each Member shall keep his or her Lot, and all improvements thereon, in good order and repair and free of debris in a manner and with such frequency as is consistent with good property management; and

WHEREAS, Article VI, Section 2(b) of the Declaration empowers the Board to take corrective action and assess the cost of such action to any Member who fails to properly maintain his or her Lot and any improvements situated on the Lot; and

WHEREAS, Article IV, Section 3(f) of the Declaration authorizes the Board to regulate the use of the Common Areas for the benefit of Members; and

WHEREAS, the Board deems it necessary, for the benefit of the Members and to preserve and enhance values and visual harmony in the community, to adopt rules with respect to the use of the Portable On Demand Storage or like-kind temporary storage structures designed to facilitate the storage of excess materials or household goods in the act of moving into or out of the community (all such storage structures are hereafter referred to as "PODS"); and

NOW, THEREFORE, the Board approves and adopts the following regulations for the Association, hereinafter referred to as the "Rules," which shall be binding upon all Members and their family members, tenants, occupants, successors, heirs, and assigns who currently or in the future may possess any sort of property interest subject to the Declaration, and which shall supersede any current regulations of record or previously adopted rules on the same subject matter.

1. The Common Areas shall not be used for the storage of PODS unless an application has been filed with the Board and prior written consent has been obtained from the Board.

2. A Member may place one (1) PODS on his or her individual Lot on the condition that the PODS only be placed in the driveway (not to exceed the boundaries of the driveway) and that the PODS not obstruct the view from corners of streets within the community. Alternatively, a Member may place one (1) PODS in his or her designated reserved parking space (not to exceed the boundaries of the parking space) on the condition that the PODS not obstruct any other vehicles or the view from corners of streets within the community. The placement of PODS on individual Lots or reserved parking spaces shall only be for the sole and limited purpose of storage of household goods prior to moving in or out of Lots within the Association.

3. Placement of PODS in the front, side or rear yards of individual Lots is prohibited.

4. Any PODS placed in a driveway or reserve parking space shall not be placed in any such location for a period in excess of three (3) consecutive days within a calendar year. Extensions beyond the 3-day limit will be considered by the Board on a case-by-case basis upon receipt of written application by a Member seeking such an extension.

5. Any Member who wishes to place a POD on his or her driveway or reserved parking space must notify management using the application attached hereto as Exhibit A at least five (5) business days prior to the placement of the PODS.

6. Any PODS that is not in compliance with the parameters described herein shall be in violation of these Rules and shall subject the Member to the enforcement remedies provided under the Association's governing documents and rules and regulations. Additionally, if a Member is in violation of these Rules, the Board or management may contact the company that owns the PODS and request removal of the PODS at the Member's expense. In the event that the PODS is not removed by the owner of the PODS within the timeframe provided by the Board or management, the Board or management may cause the PODS to be towed or removed from its location. All costs incurred by the Association in the enforcement of these Rules, including but not limited to the towing of a PODS, shall be treated as a Restoration Assessment and shall be subject to the collection procedures described in the Declaration and the Association's collection policy.

7. A Member shall be responsible for any damage caused by the PODS to the Common Areas or to another Member's property. Any monetary damage caused by the Member's PODS to the Common Areas shall be treated as a Restoration Assessment and shall be subject to the collection procedures described in the Declaration and the Association's collection policy.

The effective date of this Resolution shall be the 21 of JUNE, 2013.

FAIR WOODS HOMEOWNERS ASSOCIATION

By: *Pamela Gilmore*
President

CERTIFICATE OF MAILING

I hereby certify that the foregoing Policy Resolution No. 2013- 03 concerning the rules regarding Portable On Demand Storage Units (PODS) was mailed to all Members of the Fair Woods Homeowners Association to the addresses of record on this 28 day of JUNE 2013.



Tamara Padgett, Community Manager

EXHIBIT A

Application for Portable On Demand Storage Unit (PODS)

Name of Lot Owner: _____

Address: _____

Phone Number: _____

I, _____ (Lot Owner), hereby request approval for placement of a PODS or similar storage unit in the following location (check one):

_____ My Driveway

_____ My Reserved Parking Space located at _____

The PODS will be delivered on the following date _____ for the duration of _____ days.

The identity and phone number of the company delivering the PODS or similar storage unit is as follows: _____

I hereby acknowledge that I have read and am familiar with the Rules regarding the use of PODS or similar storage units within the community and that I will comply with those Rules.

Date

Lot Owner

FAIR WOODS HOMEOWNERS ASSOCIATION

POLICY RESOLUTION NO. 2013-____

Duly adopted at a meeting of the Board of Trustees held June 27, 2013.

Motion by: Kevin Cuddihy

Seconded by: Ryan Stoker

	VOTE:			
	YES	NO	ABSTAIN	ABSENT
<u>Pamela Gilmore</u> President	X	_____	_____	_____
<u>JOHN T. MURRO</u> Vice President	_____	_____	_____	X
<u>JOE McDONALD</u> Treasurer	_____	_____	_____	X
<u>Kevin Cuddihy</u> Secretary	X	_____	_____	_____
<u>Ryan Stoker</u> Director	X	_____	_____	_____

Attest: Kevin Cuddihy
Secretary

Date: 6/27/13