

**SUMMERS LANDING HOMEOWNERS ASSOCIATION, INC.
Policy Rules and Regulations No. 2005-01**

**Procedural Rule and Regulation to Clarify
Article V, Lot Maintenance, of the Declaration**

Whereas: Article VI, Section 1, of the Bylaws of Summers Landing Homeowners' Association, Inc. provides that the Board of Directors has the power to adopt Rules and Regulations clarifying the Declaration, and the power to adopt procedural Rules and Regulations to implement the Declaration, so long as such Rules and Regulations do not conflict with the Declaration; and,

Whereas: The Board of Directors has been requested by the residents to adopt a clarification to better define Article V, Lot Maintenance, Section 5, Upkeep, of the Declaration; and,

Whereas: Article V, Lot Maintenance, Section 5, Upkeep of the Declaration requires that "Owners of Lots shall keep their Lots free of weeds, undergrowth, garbage, trash, debris and litter"; and,

Whereas: The aesthetic qualities of the Summers Landing Community is based in part on the natural, unimproved wooded areas as well as improved wooded areas, each of which may naturally accumulate fallen tree trunks, limbs and/or branches and other natural materials.

Now, Therefore be it Resolved that the Board of Directors adopts the following Policy Rule and Regulation as a procedural clarification of Article V, Section 5 of the Declaration:

1. "Debris" as used in the aforementioned section of the Declaration shall be defined as any fallen trees, limbs, branches or other natural or man-made material stacked, piled or accumulated on the lot in view from any public street on the Property, when trees are in leaf, in such a manner as to detract from the visual attractiveness of the Lot.
2. In lawns or other grassed areas that are regularly mowed and maintained by the Lot owner, any accumulation of debris shall be removed on a regular basis.
3. In wooded areas where the undergrowth and/or brush has been removed so as to provide an improved area, whether mulched or not mulched, any accumulation of debris that lessens the aesthetic quality of the area shall be removed on a regular basis.
4. In wooded areas that have remained in their natural state, any accumulation of limbs, branches, or other natural materials that is not attributable to an action by the Lot owner; and that is not in general view from any public street on the Property when the trees are in leaf, is considered to be a part of the natural aging process of a wooded area and need not be removed.
5. Notwithstanding item 4 above, in wooded areas where the Lot owner has piled or accumulated limbs, branches or other natural or man-made materials in a

concentrated area in a manner that is considered to be unnatural and unattractive and that is in view from any public street on the Property shall be removed. An exception may be made for neatly stacked, cut and split wood that is to be used in a wood-burning fireplace or other apparatus, provided that the woodpile cannot be seen from any public street on the Property.

6. In wooded areas that have remained in their natural state, any accumulation of debris and/or accumulations of dirt or "root-balls" from trees that have been felled by windstorms, ice storms, hurricanes or other acts of nature shall be removed in a reasonably timely manner. The Board of Directors will review affected Lots on a case-by-case basis and make a determination concerning whether the debris is being removed in a reasonably timely manner.
7. In the event the Board of Directors receives a formal complaint or other written correspondence from a member alleging that there is an accumulation of debris on any Lot that is objectionable and not in keeping with the qualities of the Community, the Board shall evaluate the complaint. After a review of the complaint, the Board of Directors will make a determination concerning whether the accumulated materials shall be removed or may remain in place.
8. Notwithstanding any of the above, the Board of Directors reserves the right to review any Lot within the Property and make a determination, at its sole discretion, concerning whether or not any accumulation of natural or man-made materials are aesthetically objectionable and shall be removed.
9. The Board reserves the power to assign all of its powers and responsibilities herein to a special committee of its choice. If the Board delegates such responsibilities to a special committee, a member who receives an unfavorable decision from that special committee, may appeal the decision to the Board.

The effective date of this Policy shall be: _____

I hereby certify that this Policy was duly adopted by the Board of Directors on _____.

**BOARD OF DIRECTORS
SUMMERS LANDING HOMEOWNERS
ASSOCIATION, INC.**

By: _____
President