

**RESOLUTION**  
OF THE  
LAKE COUNTRY VILLAGE  
HOMEOWNER'S ASSOCIATION, INC.

**ESTABLISHING RULES AND REGULATIONS FOR  
PARKING ON COMMON AREAS**

WHEREAS, the Lake Country Village Homeowner's Association Declaration of Covenants, Conditions, Easements and Restrictions (June, 2001) provides in part in Article II, Section. 1: (a) each owners right and easement to use the common area is subject to the right of the Homeowner's Association, pursuant to its By-Laws, to adopt rules and regulations governing the use of the Common Area and the personal conduct of the Owners and their guests, and to establish penalties for the infraction thereof; and

WHEREAS, the Declaration further provides in Article II Section 1(c) that individual owner(s) have the exclusive use of the driveway which services their unit and any parking spaces which may be provided for Owners upon the common area; and

WHEREAS, the Declaration further provides in Article II Section 3 that with respect to the Common Area owned by the HOA, the HOA shall have the right: (a) to promulgate and enforce reasonable rules and regulations relating to the use, operation and maintenance of the HOA property, and to levy fines for the infraction thereof, in the discretion of the HOA .....; and

WHEREAS, Lake Country Village Homeowner's Association, Inc. By-Laws provides: Powers and Duties of the Board of Directors, Article VI, Section 1, Powers. The Board, on behalf of the HOA, shall have the permission to: (a) adopt and publish rules and regulations governing the use and maintenance of the Common Area, the personal conduct of the Members and their tenants, invitees thereon, and to establish penalties for the infraction thereof; and

WHEREAS, the Board of Directors recognizes there is a significant problem with regard to parking on the Common Area and that the parking problem is especially acute in certain areas; and

WHEREAS, the Board of Directors further recognizes additional parking areas cannot be provided in the foreseeable future due to the lack of space and available financial resources, therefore, it is imperative that the Homeowner's Association adopt an enforceable policy to implement the use of parking spaces on common areas in a fair and equitable manner with the sincere hope that individual owners shall be reasonable and considerate in their use of parking spaces, but also with the recognition that an enforceable policy is necessary to protect Owners

and insure reasonable and equitable use of parking spaces on the Homeowner's Association Common Area.

**NOW, THEREFORE,** The Board of Directors of Lake Country Village Homeowner's Association, Inc. after careful consideration of all relevant factors, hereby adopts the following parking rules and regulations which shall apply immediately to all common area within Lake Country Village:

1. Lake Country Village Homeowner's Association, Inc., through the Board of Director(s) and appropriate committees, shall assign, identify and number, specific parking places in those areas of the Common Area identified by the Board of Directors, from time to time, as requiring regulation as to the use of parking spaces; and
2. Individual parking spaces shall be assigned to specific units (Owners) and the Board of Directors shall take reasonable steps (post on web site, post in mail kiosks and deliver to each unit) to notify the Owners and/or occupants of said units of these rules ; and
3. Parking shall be allowed only in assigned parking spots or designated areas; and
4. A violation of these parking rules and regulations may be reported to the Lake Country Village Homeowner's Association Property Manager only by the Unit Owner (or his/her designees) adversely affected by the violation; and
5. The report shall provide the name, address and designated parking spot of the unit owner making the report, as well as the specific information regarding the violation (date, time, location, make of vehicle, color of vehicle, license plate number of vehicle, identity of violator if known, etc.); and
6. Promptly upon receiving a report of a parking violation, the Property Manager shall contact the violator personally to obtain immediate compliance with the parking rules and regulations; if the Property Manager is unable to contact the violator within 30 minutes, or if the violator refuses to immediately comply with the Homeowner's Association Parking Rules and Regulations, the Property Manager shall immediately call a towing service and have the offending vehicle towed; the Property Manager shall remain on site during the removal of the vehicle by the towing service and shall promptly leave a card on the violator's unit door (if known) informing them of the towing and the location of the vehicle; a separate notice shall also be mailed to the offender's unit (if known); and

7. The costs of towing and any vehicle storage incurred pursuant to these rules and regulations is the sole responsibility of the violator/unit owner; and
8. Lake Country Village Homeowner's Association, Inc. is not responsible for any damages of any kind, direct or indirect, as a result of any towing or storage of vehicles; and
9. A violator shall be responsible for the payment of a penalty (in addition to the towing/storage charges paid to the towing service) to Lake Country Village Homeowner's Association as follows:
  - (a) \$0 for a first violation;
  - (b) \$50 for a second violation;
  - (c) \$100 for a third violation or any other subsequent violation;Payment of these penalties is due within twenty (20) days of notification to the violator (which is deemed to be made upon mailing or delivering to the violator); and
10. Any penalties or unpaid towing/storage charges not paid by the violator within the time limits described herein shall be relieved as additional homeowner's association dues on the following months invoice for HOA Dues and shall be subject to the same collection procedures, fees and policies as regular HOA Dues; and
11. Each Unit Owner is strictly liable and responsible for compliance with these parking rules and regulations by all co-owners, family members, occupants, guests, employees, contractors or invitees of said Unit Owner; and
12. Each Unit Owner indemnifies Lake Country Village Homeowner's Association, Inc. with regard to the implementation of these parking rules and regulations to the fullest extent allowed by law; and
13. These parking rules and regulations shall become effective immediately as of the 21<sup>st</sup> day of January, 2009.

**CERTIFICATION:**

Nancy McNally, the Secretary of the Lake Country Village Homeowner's Association, Inc., hereby certifies that this RESOLUTION was duly passed and adopted by the Lake Country Village Homeowner's Association, Inc. Board of Directors on the 21<sup>st</sup> day of January, 2009.

  
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Nancy McNally, Secretary