

# *Meadow Creek West Homeowners Association, Inc.*

*P . O . Box 16325 High Point, NC 27261*

## **MEADOW CREEK WEST HOMEOWNERS ASSOCIATION**

### **RESOLUTIONS 2008**

Meadow Creek West Board of Directors has developed these Resolutions in their attempt to provide homeowners and prospective homeowners with a guide to the salient points contained within the Covenants and By-Laws.

These Resolutions do not amend nor do they supersede the Covenants and By-Laws of the Association. These Resolutions in no way remove responsibility of the homeowner to abide by the Covenants and By-Laws in their entirety.

The fines listed herein are designed and should be construed as an incentive for the homeowner to comply with the Covenants and By-Laws and in no way are they intended to be punitive.

It is the primary responsibility of each homeowner to maintain their property in a way, which does not detract from the overall value and beauty of the community. The Directors of this Association hope every homeowner will take this responsibility seriously, as this can severely affect all property values.

Association Assessments are to be paid in a timely fashion as fines can be levied after 30 days. Likewise, fines for failure to comply with these Resolutions can be levied against the homeowner.

#### **A. Common Areas**

1. The Association will make rules and regulations for the use of the common areas.
2. No one may use the common areas as an extension of their lot, e.g. doghouses, dog runs, storage buildings, gardens, fences, tree houses, and playground equipment are not to be on common area and shall be on personal property owned by the homeowner.
3. No offensive activity is allowed on the common area.
4. The Association can give permission for certain uses on the common area. Permission will only be given after approval by the Architectural Committee.

#### **B. Animals**

1. No animals, livestock or poultry are allowed on any lot or in any dwelling with the exception of dogs, cats, or other recognized household pets.
2. Pets (dogs specifically) will be leashed while they are being walked throughout the neighborhood. All animal waste material must be picked up immediately by the pet's owner then disposed of at the pet owners property or, in appropriate trash receptacles if they are provided by the Association.
3. No animals can be maintained on the homeowner's property for commercial purposes.
4. Kennels are permitted, but only if they are contained within a yard, which has been enclosed by an approved wooden fence.
5. Any homeowner who keeps a dog outside for a period greater than four (4) hours must keep the dog in their back yard and inside an approved fenced area. The fence has to adhere to community architectural standards.

Note: For more information on this topic please refer to the Municipal Authority regulations at this link [Animal Regulations](http://library3.municode.com/default/DocView/10918/1/75/77) or type in <http://library3.municode.com/default/DocView/10918/1/75/77> in your internet browser.

Managed by: Golden Property Management, PO Box 16325, High Point, NC 27261, Phone/Fax 336-887-8975  
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#### **C. Vehicles**

1. Recreational vehicles, trailers, or boats are not permitted on the property for periods extending beyond 48 hours.
2. Junked automobiles defined as non-operative, non-registered, or salvaged automobile cannot remain on any lot or common area, nor can any non-operative or non-registered automobile be kept on any street located within the Meadow Creek West Association.
3. Any extended vehicle maintenance or vehicle repair which is not conducted in the privacy of a homeowner's garage (garage doors must be able to close) and lasting longer than three weeks is a violation.
4. No motor vehicle can be parked on the Common Area within the Association.
5. Motor vehicles parked on an owner's lot or a public street must be registered, inspected and operational or they are in violation, these automobiles can be towed and the towing expense will be the homeowners'. This includes vehicles that have flat tires. These are part of the Guilford County ordinances.

#### **D. Architectural Changes**

1. An Architectural Control Request Form must be submitted and approved **BEFORE** site preparation, initial construction, erection, or installation of any improvement to the owner's property. An Architectural form must be submitted and approved by the Architectural Committee for any of the following:
  - a. Outbuildings -metal buildings are prohibited
  - b. Walls and or fences -metal fences and or poured concrete walls are prohibited.
  - c. Signs (one for sale sign is allowed)
  - d. Swimming pools (larger than 10 feet in diameter which can and must be put up and taken down on a seasonal basis one week before Memorial Day and two weeks after Labor Day)and or hot tubs detailed drawings with measurements are needed
  - e. Other structures, excavations or major changes to lot grade.

#### **E. Exterior Maintenance**

1. Grass should not exceed 6" in height (approximately the height of a soda can). The process for cutting the lawns will remain in tact. If a lawn is not maintained the homeowner can expect a letter 6-om our management company this letter will state the homeowner is in violation and will have five (5) days from the date of the letter to cut the grass, if the grass is not cut the Association will make arrangements to have it cut and the cost for the service will be charged to the homeowners account. During the mowing season, the maintenance of the lawns will be verified during a community drive through.
2. In accordance with County ordinances, trash containers should be put curbside after 7:00 p.m. the evening before pick-up. Removal should be before 7:00 p.m. the day of pick-up.
3. Trash, furniture, appliances, etc. to be discarded should not be placed or stored in driveways or on the property. Trash cans (totes), garbage bags or recycling containers may only be stored in a homeowner's back yard, beside their house (concealed by an approved barrier) or inside their garage.
4. Delivered mulch or building materials shall be distributed and removed from the driveway or lawn within ten (10) days of delivery.
5. Portable basketball goals are not to be left unattended in the street or at the curb of your property; this is in accordance with Guilford County Ordinances. They need to be appropriately stored after each use.
6. Any incomplete, unsafe or falling down fence, outbuilding or other structure on a homeowners' property are in violation.
7. Any mailbox, which is missing components, is falling down, leaning over or completely missing, is in violation.

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## **FINE VIOLATION SYSTEM TO ENFORCE MEADOW CREEK HOMEOWNERS ASSOCIATION RESOLUTIONS**

The Board of Directors of the Meadow Creek West Homeowners Association is concerned, along with the rest of the homeowners, with keeping our family community a pleasant place to live as well as protecting property values. By working together and enforcing the Resolutions and Covenants we can protect your property values and reduce operating costs by preventing costly lawsuits for the few owners who do not comply with the community Resolutions.

The Board of Directors, under the North Carolina Planned Community Act, may impose a fine system for violations of the Resolutions for this community.

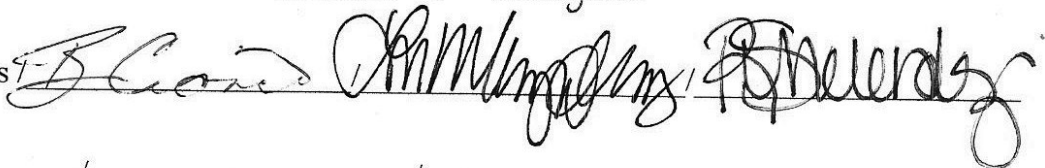
The Board has proceeded with this authority because of repeated violations of the community documents. The only recourse the Directors have is to fine an individual homeowner under the Community Act or file a lawsuit to enforce these Resolutions. The Meadow Creek West Board of Directors has unanimously determined in the interest of all members of the community to impose a fine system and reduce legal costs to all homeowners. The procedural steps for the fining system are as follows:

1. The homeowner will receive a letter indicating that they have been found to be in violation and given thirty (30) days to correct the violation (with the exception of lawn care and trash cans).
2. If the violation has not been corrected at the end of thirty (30) days, an additional letter will be sent to the homeowner specifying that if the violation has not been corrected within ten (10) days from the date of the letter. A hearing with the Board of Directors will be scheduled to determine if fining will begin.
3. If the violation has not been corrected at the end of that ten (10) day period, the homeowner will receive a certified letter advising of the date to appear at a hearing with the Board of Directors. The homeowner will have an opportunity to set forth all facts to show compliance with the Covenants and these Resolutions or a valid reason for their exception.
4. The Board will review the homeowner's reasons and make a determination as to fining. Should the homeowner not appear at the hearing, fining will begin automatically.
5. The homeowner will receive a certified letter explaining the Directors findings. If the Directors find that fines are to be enacted then the following action will be taken:
  - a. A fine of \$25.00 per week will be assessed for the first four weeks;
  - b. If the violation has not been remedied within four weeks, the fine will increase to \$40.00 per week until such time as the homeowner has complied with the Resolutions and Covenants.
6. When the homeowner has accumulated \$100.00 in fines, the Association can pursue legal remedies.
7. The homeowner will be responsible for any legal fees associated with collection of unpaid fines.

This fine system will only affect those people who refuse to fulfill their obligations to our community. We do not feel it is fair for the majority of the homeowners to carry the financial burden and suffer the property value pitfalls which result from those in our community that refuse to live by the Resolutions and Covenants that keep our neighborhood a pleasant and safe place to live.

Approved by the Board of directors this 7 day of Aug 2008

Director Signatures



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## **IMPORTANT MEMORANDUM REGARDING YOUR PROPERTY**

To: Members of Meadow Creek West Homeowners Association  
From: Meadow Creek West Board of Directors  
Date: August 6, 2008  
Re: **Fine Violation Policy to Enforce Restrictive Covenants**

We, the elected Board of Directors of Meadow Creek West Homeowners Association (hereinafter, the "Association"), are concerned along with the rest of the homeowners with keeping our community a pleasant place to live along with protecting each homeowner's property value. By working together and enforcing the Associations Governing Documents and Covenants, we can protect your property values and reduce operating costs by preventing costly lawsuits for those few that do not wish to comply with the Covenants.

The Association Board of Directors, under the authority of the North Carolina Planned Community Act, codified January 1, 1999 as North Carolina General Statute's 47F-1-101, may implement a fine policy to address violations of the Covenants for the community.

The Board of Directors has determined that it is in the best interest of all members of the community that they implement a fine policy with hope of reducing legal costs to all homeowners. The procedural steps of the fine policy are as follows:

### **A. NOTICE OF VIOLATION**

A letter describing the violation will be sent to the homeowner for each observed violation of the Covenants. This notification will state the violation and cite the appropriate section of the governing Covenants. The homeowner will have ten (10) days to correct the violation or to contact the Association or Golden Property Management LLC to arrange for an extension.

If the violation is not remedied within the ten (10) days stated above, a second letter would be sent through certified mail giving notice of the date, time, and location of the hearing scheduled for the matter.

### **B. BOARD HEARING**

The hearing will be held by the Board of Directors to determine if the homeowner is in compliance with the Covenants, and to hear all aggravating or mitigating factors. The homeowner will have an opportunity to set forth all facts to show compliance with the Covenants or a valid reason for an exception. Upon gathering all necessary information, the Board will deliberate outside the presence of the homeowner and render a decision.

The homeowner will be notified of the Board's decision via certified mail within five (5) business days of the hearing.

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## **Fine Violation Policy**

### **C. FINES**

Any fine assessed by the Board will begin to accrue five (5) days after of mailing of the decision letter to the homeowner.

The standard fine for non-compliance of the Restrictive Covenants will be \$100.00 dollars per day.

The fines set forth immediately above will continue to accrue until such time as the homeowner notifies the property management company, Golden Property Management LLC, in writing that the violation has been remedied. At that point, an inspection will be scheduled to insure compliance.


### **Please also note:**

When the amount owed by any homeowner reaches \$ 500.00, a lien will be placed upon the homeowner's property. Please be advised that the Covenants grant the power to the Association to foreclose upon a homeowner's property to collect amounts owed under the fine policy set forth in sections (A) through (C) above.

We, as the Board, understand that this may seem like a harsh policy to many of our homeowners. However, this fine policy will only affect those people who refuse to fulfill their obligations to our community. We do not feel that it is fair for the majority of the homeowners to carry the financial burden and suffer the property value pitfalls that result from those in our community that refuse to live by the Covenants that keep our neighborhood a pleasant and safe place to live.

Thank you for your attention to this matter.

The Meadow Creek West Board of Directors

 8/7/08  
8-7-08

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