

## GUIDELINES FOR THE MAINTENANCE AND MODIFICATION OF YOUR BROADHURST PROPERTY

Each of us as a property owner in Broadhurst, enjoys the beauty of our neighborhood while contributing to that beauty by maintaining our home sites. These guidelines outline maintenance and modification requirements of our neighborhood and summarize the violation procedures. This document is not intended to modify or replace the Broadhurst Governing Documents. If this document conflicts with any Governing Documents, the Governing Documents control.

### I. Maintenance

The exterior maintenance guidelines for our sites are generally governed by our Home Owners Association Covenants, Conditions and Restrictions (CC&Rs), which can be found at [www.broadhursthoa.com](http://www.broadhursthoa.com). Article X of the CC&Rs governs Maintenance of Lots.

Specifically, Article X, Section 1 states: “Each owner hereby covenants and agrees to maintain his respective site....in the same condition as a reasonable prudent homeowner would maintain his own home so that the entire property will reflect a high pride of ownership”.

In an effort to minimize maintenance complaints, please familiarize yourselves with Article X, Sections 1 & 3 of the Broadhurst CC&Rs and follow the guidelines below for yard care:

- maintain a neatly mowed and trimmed lawn as seen by your neighbors, or from the street
- remove weeds from your flower beds as seen by your neighbors or from the street
- if your lawn is adjacent to the street, insure that the grass is not overgrowing into the street by trimming along the street, including the removal of grass clippings left on the street from mowing
- if you have a natural area of vegetation adjacent to a street, insure that you maintain a cut and trimmed buffer of 4 feet from the street, including tree branches that may extend over the 4-foot barrier
- remove all dead vegetation, including downed trees visible from the right-of-way.

Also, please note that storage of any Vehicles (as defined in the CC&Rs) in open view from any Lot or right of way for more than 24 hours is not permitted. The Board may have a Vehicle towed at the Owner’s expense 48 hours after providing notice to such Owner that a Vehicle is improperly parked.

### II. Modifications

If you are planning to make any changes to your property, you are required to submit a Broadhurst Architectural Control Committee (“ACC”) Modification request to the ACC

prior to starting your project. This form is located at [www.broadhursthoa.com](http://www.broadhursthoa.com) and is required for projects including, but not limited to the following:

- Exterior painting
- Deck/Patio/Slab
- Roofing
- Drive or walk addition or modification
- Fencing
- Landscaping
- Patio cover
- Room addition
- Basketball backboard, or
- Other material additions or modifications

If you are in doubt whether a modification requires approval, please contact the ACC for further guidance. Your addition or modification cannot be started until approval is received from the ACC. Prior to submitting the ACC Modification Request Form, please ensure your application contains all information required for the ACC to visualize the completed project so they can make an informed determination.

It is extremely important to ensure that your project does not change the existing drainage flow of your lot. Be aware of detention tracts, protected native froth or 40% slope areas and wetlands that may be on your property by reviewing the county plat maps for your lot.

### III Violations

One of the duties of the Home Owners Association Board (“HOA Board”) is to ensure that the homeowners comply with the CC&Rs. If a homeowner believes that there is a violation of the CC&Rs, a complaint should be submitted to the Homeowners Association Board (“HOA Board”). The HOA Board will then investigate the complaint and take appropriate action if a violation is found to have occurred. Home owners should not manage suspected violations of their neighbors on their own.

In the vast majority of these cases, the homeowners are unaware they are in violation of the CC&Rs and, once notified, remedy the situation in a timely manner.

If this is not the case, the Board must enforce the CC&Rs by taking the following action. This applies to maintenance violations and modification/addition violations.

Upon receipt of a complaint, the Board is required to:

- Verify the violation by on-site inspection
- Notify the homeowner of the violation via email and letter and request steps be taken to remedy the violation within a specified period of time to cure the defect.
- If, after such specified time, the Board confirms the violation has not been fully remedied or if the board has not received an acceptable remediation plan from the

homeowner, then the Board will contract with outside vendors to correct the violation.

- After the work is completed, HOA funds will be used to pay the costs associated with said remediation.
- All of the costs of repair, maintenance, or restoration are then assessed against the lot via a certified letter to the homeowner.
- If the homeowner does not pay the assessment within 30 days, as set forth in Article IX Section 8, the Board will have a lien recorded against the property for all labor and materials required to remedy the violation.
- If legal fees are incurred to enforce any such action above, such costs are required to be paid by the individual against whom enforcement is sought. If payment is not made within 60 days, such fees become a lien against the homeowner's lot.

If there are any questions, please feel free to reach out to the HOA Board or the ACC.