

SHADOWBROOK COMMUNITY ASSOCIATION, INC.  
POLICY RESOLUTION NO. 3

Rules and Regulations Requiring  
Use of Residential Lease Form

WHEREAS, Article VII, Section 1(d) of the By-laws authorizes the Board of Directors to enforce provisions of the Declaration and By-laws, and

WHEREAS, Article VII, Section 1(a) of the Declaration empowers the Board of Directors to adopt and, publish rules and Rules and Regulations governing the use of the community, and

WHEREAS, Article VI, Section 7 of the Declaration of Covenants, Conditions, and Restrictions requires any owner leasing his dwelling shall provide a copy of such lease to the Community Association, and

WHEREAS, it would be beneficial to the community as a whole to ensure that the tenants are aware of and abiding by the governing documents:

NOW THEREFORE BE IT RESOLVED that:

All written leases of property within Shadowbrook Community Association shall contain a provision advising the tenant of his obligation to abide by the provisions of the governing documents and rules and regulations and certifying that the tenant has received a copy of such documents

All homeowners who lease to another a home within the Association must, within five (5) days of execution of the lease, file a copy of the lease with the Board of Directors at the following address: 'c/o Dubin & Associates, inc., 10234 Battleview Parkway, Manassas, Virginia 22110 and any homeowner failing to provide a copy of an executed lease within five (5) days of the effective date of this Resolution, or the execution of a new lease, will be in violation of this Resolution.

In the event that property within Shadowbrook is, leased without use of a written lease, the owner of the property must provide to the Association at least five (5) days prior to the tenant's occupation of the premises, of within five (5) days of the effective date of this Resolution, a written statement signed by the owner and the tenant certifying that the tenant has received a copy of the governing 'documents and rules and regulations' and that the tenant understands that he/she must abide by the provisions of such documents.

Any homeowner failing to comply with this Resolution may be subjected to a charge for each day in which the violation persists and any other penalties or remedies as are available to the Association.

The owner shall be held responsible for any charges or penalties incurred by or Imposed as a result of the action or inaction of his tenant and all such charges may become a lien against the property of the owner if unpaid.

SHADOWBROOK COMMUNITY ASSOCIATION

By: \_\_\_\_\_  
John Elcano, President  
Board of Directors

ATTEST:

I hereby certify that the foregoing resolution was duly adopted at a regular meeting of the Board of Director's of Shadowbrook Community Association this 2nd day of March, 1992.

This Resolution will become effective thirty (30) days from the date attested hereto

By: \_\_\_\_\_  
Secretary

SHADOWBROOK COMMUNITY ASSOCIATION, INC.  
POLICY RESOLUTION NO. 4  
Rules and Regulations Relating to Vehicle Parking

WHEREAS, Article IV, Section 1 of the By-laws provides that the affairs of the Association shall be managed by a Board of Directors, and

WHEREAS, Article VII, Section 1 of the By-laws empowers the Board of Directors to adopt and publish rules and regulations governing the use of the common areas, and

WHEREAS, Article VI, Section (d) of the Declaration of Covenants, Conditions, and Restrictions defines the type and nature of vehicles that may be parked in Shadowbrook parking areas, and

WHEREAS, there is a need to establish orderly and judicious rules and regulations regarding parking, as well as remedies for violations of such rules;

NOW THEREFORE BE IT RESOLVED that the following Parking Rules and Regulations be, and hereby are, adopted by the Board:

I. PARKING RIGHTS

1. The Shadowbrook Community Association parking areas are for the exclusive use of Association members, members' guest, and member's lessees.

2. All lots, as defined in Article I, Section 5 of the Declaration of Covenants, Conditions and Restrictions within Shadowbrook, excluding lots with garage units, will be assigned two individual spaces that are to be marked according to a duly adopted plan. Garage unit parking will be limited to the unit's garage space and adjoining driveway. Guest spaces will be available on a first come, first serve basis although, no Association member or members' lessee shall park in any guest parking space.

3. Vehicles should be parked within the spaces provided and in such a manner as to not obstruct other parking spaces. Any vehicle parked in such a manner that it blocks one or more vehicles, occupies more than one space, is parked in a posted fire lane, is parked without authority in an assigned parking space, or is parked in a designated handicapped parking space without authorization, shall be subject to immediate towing WITHOUT NOTICE.

4. The repair or extraordinary maintenance of automobiles or other vehicles is prohibited within the boundaries of the Association.

No junk vehicle, trailer, camp truck, house trailer, boat or other similar machinery or equipment of any kind or character (except for such equipment and machinery as may be reasonable, customary and usual in connection with the use and maintenance of any dwelling and except for such equipment and machinery as the Community Association may require in connection with the maintenance and operation of the Common Area) shall be kept upon the Property nor (except for bona fide emergencies) shall the repair or extraordinary maintenance of

automobiles or other vehicles be carried out thereon. The Community Association may, in the discretion of the Board of Directors, provide and maintain a suitable area designated for the parking of such vehicles or the like.

No vehicle within Shadowbrook shall display "For Sale" signs. All vehicles must be kept in proper operating condition so as to not be a hazard or a nuisance by noise, exhaust, emission, appearance or otherwise.

### III. NOTICE

The Board or Managing Agent shall make a reasonable attempt to give notice to the owner of an offending vehicle according to the notice attached as Exhibit. Reasonable notice shall consist of placing notice on the vehicle. If such vehicle is not removed or the violation corrected within 72 hours of issuance of the notice, the Board may have the offending vehicle towed at the expense and risk of the vehicle owner. Any vehicle previously noticed for a violation of the same regulation, shall be subject to towing **WITHOUT NOTICE** for any second offense of the same regulation.

The Board and Managing Agent shall have authority to tow offending vehicles. Any vehicle parked in an assigned space without authorization of the owner of the lot to which the space is assigned, may be towed, without notice, upon the request of the lot owner or resident. The lot owner or resident must be present at the site of the vehicle at the time the tow truck arrives or the Board will not authorize towing of the vehicle.

### IV. PARKING SPACES

No signs, initials, numbers, storage containers or any other additions or alterations to parking spaces may be painted, displayed or erected by any resident. This restriction does not apply to a uniform numbering or letter system that may be applied to all parking spaces by the Association.

### V. ASSOCIATION NOT RESPONSIBLE

Nothing in this Resolution shall be construed to hold the homeowners Association, Board of Directors, or their Agents responsible for damage to vehicles or loss of property from vehicles parked upon the common areas or towed therefrom.

### VI. ENFORCEMENT OF THE REGULATIONS

In addition to the towing provisions above, violations of the regulations are subject to appropriate action by the Board including, but not limited to, the initiation of legal action by the Board of Directors. Should any legal action be required, all legal fees and costs shall be assessed and attributed to the lot owner responsible for the offense. Lot owners shall be responsible for the offenses of their tenants and their guests.

SHADOWBROOK COMMUNITY ASSOCIATION

By: \_\_\_\_\_ /s/  
John Elcano, President  
Board of Directors

ATTEST:

I hereby certify that the foregoing resolution was duly adopted at a regular meeting of the Board of Directors of Shadowbrook Community Association this 2nd day of March, 1992.

By: \_\_\_\_\_ /s/  
Secretary

COMMUNITYSHADOWBROOK COMMUNITY ASSOCIATION

POLICY RESOLUTION NO. 1

PROCEDURES AND GUIDELINES

ARCHITECTURAL REVIEW COMMITTEE

WHEREAS, the Declaration of Covenants for Shadowbrook Community Association requires and authorizes the Board of Directors to create an Architectural Review Committee; and

WHEREAS, the Board of Directors has appointed the membership of an Architectural Review Committee pursuant to the documents; and

WHEREAS, Article VI, Section 6.2\_4, charges the Architectural Review Committee, which must maintain 3 or more members, with certain duties; and

WHEREAS, the Architectural Review Committee is charged with the duty to regulate the external design and appearance of the Community and improvements. This shall be accomplished in such a manner as to preserve and enhance property values, to ensure harmony with utility systems, and to ensure a harmonious relationship among the improvements on the lots and the natural vegetation and topography; and

WHEREAS, the Architectural Review Committee is required to adopt architectural standards subject to the confirmation of the Board of Directors; and

WHEREAS, the Architectural Review Committee is obligated to adopt procedures for the exercise of its duties and enter them in an official procedures book; and

WHEREAS, the Architectural Review Committee has promulgated architectural standards and procedures as required by the Declaration of Covenants, Conditions, and Restrictions.

NOW, THEREFORE, BE IT KNOWN THAT the following standards and procedures adopted by the Architectural Review Committee are subject to the noted approval of the Board of Directors.

## **I. PROCEDURE**

### A. Background Information

- (1) These procedures and guidelines are provided as a supplement to the Covenants that each homeowner received at settlement. The intent of these guidelines is to facilitate the homeowner in obtaining approval for any modifications which they may contemplate for their property.
- (2) the Architectural Review Committee must approve all proposed modifications, even if the modifications conform to the guidelines that follow.
- (3) The Architectural Review Committee will review proposals that do not comply with the following guidelines on a case-by-case basis. However, it is asked that homeowners modify their properties within these guidelines.
- (4) The Architectural Review Committee will consider only written requests as herein outlined. Oral requests will not be considered.
- (5) The Architectural Review Committee will answer the request within thirty (30) days of receipt.
- (6) Approval is required prior to commencing construction.
- (7) Approval from the County does not constitute approval from the Architectural Review Committee.
- (8) All approvals must be in writing.

### B. Application Procedures

- (1) Application forms may be obtained from Shadowbrook Community Association by submitting a request to:

Shadowbrook Community Association  
c/o Dubin & Associates, Inc.  
8781 Mathis Avenue  
Manassas, VA 22110

Or the Shadowbrook Homepage:

[www.shadowbrook.freeservers.com](http://www.shadowbrook.freeservers.com)

- (2) Completed applications must be signed by the homeowner and returned to the attention of the Architectural Review Committee at the above mailing address.

(3) If an application is rejected, or accepted but modified by the Architectural Review Committee, the applicant is free to request that the Architectural Review Committee reconsider its position and is encouraged to present additional information which might clarify the request or demonstrate its acceptability as originally submitted.

#### C. Architectural Review Committee Review Criteria

(1) The Architectural Review Committee evaluates all applications on an individual basis. Besides evaluation of a particular design proposal, this includes consideration of the characteristics of the townhouse model, the individual site, and the effect upon neighboring dwellings or homeowners.

(2) Validity of Concept - The idea must be sound and appropriate to its surroundings.

(3) Design Compatibility - The proposed modifications must be compatible with the architectural characteristics of the applicant's house, adjoining houses and the neighborhood setting. Compatibility is defined as similarity in the architectural style, quality of workmanship, similar use of materials, color, and construction details.

#### D. Enforcement Procedures

The Covenants require the Architectural Review Committee to ensure compliance by all homeowners with the architectural standards. The Board of Directors have approved the following procedures.

(1) The sources for reporting violations will be as follows:

- a. Concerned homeowners who contact either management company, the Board of Directors, or the Architectural Review Committee;
- b. Board of Directors; or
- c. Architectural Review Committee observations during the normal course of Architectural Review Committee business.

(2) Violations consist of:

- a. Modifications completed or commenced without Architectural Review Committee approval;
- b. Modifications completed in a manner not consistent with approved plans; or



c. Homeowner not maintaining home or property.

(3) All violations will be confirmed by a site visit by the Architectural Review Committee chairperson or committee member.

(4) The owner will be contacted as soon as possible concerning the violation. In those cases involving violations that are subject to increase with the passage of time, a violation notice will be sent immediately by certified mail and Procedure 6 will apply next.

(4) After fifteen (15) days with no contact and/or modification, a notice will be sent by certified mail informing the homeowner of the time and place of a hearing by the Architectural Review Committee.

(5) If the case is not resolved it may be turned over to the Board of Directors with a recommendation for legal action.

#### E. Meetings and Community Walkthroughs

(1) The Architectural Review Committee shall meet once a month. A meeting may be suspended if there is no business to address.

(2) Special meetings may be called by any two (2) members after not less than three (3) days notice to each member. A majority of the members shall constitute a quorum at any meeting.

(3) Two community walkthroughs will take place throughout the year. Community-wide announcements will take place 2 weeks prior to the walkthrough.

## **II. SPECIFIC PROJECT REQUIREMENTS**

### A. General

(1) Only the exterior materials existing on the parent structure or compatible with the architectural design and character of the neighborhood will be approved.

(2) Request for approval to change exterior color should relate to the colors of houses in the immediate area. Exterior colors are to remain as close as possible to existing structures.

### B. Decks, Fences, and Lattice

(1) The Architectural Review Committee must approve all decks and fences. Applications must show copies of county permits.

(2) Lumber used for decks, fences, and lattice must be decay resistant and similar

to the lumber used by the builder. Metal fences and decks are not permitted. Any stains used must not substantially change the color of the wood.

(3) Roof or screens that would form a partial or complete enclosure may not be added to a deck.

(4) Vertical picket railings must be used on decks. .

(5) Installation or replacement of any exterior railing requires approval of the Architectural Review Committee.

(6) All fences must be 6-foot, alternating slates, with gates.

(7) Fence extensions for interior units must enclose the backyard along the property line. Larger or smaller enclosures are not permitted.

(8) Fence extensions for end units must enclose the backyard at the property line. Fencing along the side may extend as far as the property line and as far forward as 5 feet from the rear plane of the home.

(9) Removal or modification of fencing can only be done with approval of the Architectural Review Committee.

(10) Lattice work must not exceed 4 feet in height.

#### C. Landscaping

(1) All trees and shrubbery not planted at ground level within two (2) feet from the structure must have approval of the Architectural Review Committee.

(2) All garden enclosures greater than six (6) inches high must have Architectural Review Committee approval. For example, retaining walls or garden beds.

(3) Any wall above grade must have Architectural Review Committee approval.

(4) Homeowners are not permitted to landscape or modify common areas. In cases where this has occurred, the homeowner must, upon selling or renting their home, remove all landscaping and replace the area with sod.

(5) All lawns and shrubs must be kept trimmed. Overgrowth is not permitted.

#### D. Storm and Screen Doors

Storm or screen doors should have full-length windows and be painted the same color as the entry doors or trim.

#### E. Sheds and Doghouses

Sheds and doghouses should be compatible with the applicant's house in color and material, and should be located where they will be visually unobtrusive.

#### F. Boats, Trailers, or Recreational Vehicle Storage

No recreational vehicle, boat, junk vehicle, or house trailer of any kind will be permitted in the Community.

#### G. Exterior Painting

Repainting trim, shutters, or doors to match its original color does not need approval.

#### H. Fireplace and Wood Stoves

(1) All external chimneys and/or flues must have Architectural Review Committee approval.

(2) External chimneys and/or flues must be enclosed in brick or materials matching the exterior of the unit. Flue pipes that penetrate the roof must be painted flat black.

#### I. Recreation and Play Equipment

Permanent recreation equipment should be placed in rear yards. Consideration will be given to lot size, equipment size, and design, amount of visual screening, etc. Movable play equipment may not be stored in front of units.

#### J. Trash Cans and Recycle Bins

(1) Trash cans and recycle bins must be stored out of sight.

(2) Trash cans and recycle bins must be removed from the front curb no later than ten (10) hours following pick up.

#### K. Firewood

Firewood shall be kept neatly stacked and stored in the fenced area of the rear yard and located in such manner as to minimize visual impact. Firewood shall not be stored on common areas.

#### L. Real Estate Signs

Real estate signs must meet County regulations with respect to size and content and must be removed within three (3) days following signature of a contract for sale or rental. Signs may only be placed in the front yard of the property available.

#### M. Exterior Decorative Objects

(1) Approval is required for all natural and man-made exterior decorative objects to be displayed in front or side yards. Exterior decorative objects include, but are not limited to, bird baths, wagon wheels, sculptures, fountains, pools, stumps, driftwood piles, free standing poles, bird houses.

(2) Flag poles attached to the unit do not need approval.

#### N. Attic Ventilators

Attic ventilators may only be installed in the rear of the unit and must match the siding or trim on the house if mounted on a gable end.

#### O. Clotheslines

No outdoor clothesline shall be erected, used, or maintained.

#### P. Miscellaneous

(1) Exterior lighting shall not be directed in such a manner as to create an annoyance to the neighbors or motorists and must be harmonious with the surroundings.

(2) Front door trellises will not be approved.

(3) All outdoor cooking equipment must meet County code and should be stored in backyards.

(4) Laundry, rugs, sheets, blankets, or towels may not be hung from decks or stairway railings.

- (5) No window unit air conditioners are permitted.
- (6) Painting stairs or driveways is prohibited; except for clear coat sealers.
- (7) All vehicles must fit within assigned parking spaces or driveways. Vehicles cannot overhang onto sidewalks.
- (8) Screens must be kept in windows.

### **III. NOTE**

It must be noted that the Architectural Review Committee is a committee designed to satisfy the needs of the neighborhood. If a homeowner modifies their property in a manner which detracts from the attractiveness or value of surrounding units, the neighbors are encouraged to write to the Architectural Review Committee for immediate review and possible action. In addition, if a modification is rejected by the Architectural Review Committee due to the impact on neighboring properties and the neighbors collectively approve the change, please write to the Architectural Review Committee expressing your approval. These guidelines are subject to periodic review by the Architectural Review Committee and Board of Directors. Owners will be advised in writing of changes.

These procedures and guidelines were adopted by the Architectural Review Committee **DATE:**

ARCHITECTURAL REVIEW COMMITTEE

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

These procedures and guidelines proposed by the Architectural Review Committee are hereby approved and confirmed by the Board of Directors of Shadowbrook Community Association this **DATE.**

BOARD OF DIRECTORS

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

These procedures and guidelines shall become effective thirty (30) days following the date attested hereto by the President of the Association.

I hereby certify that the foregoing Resolution was duly adopted at a regular meeting of the Board of Directors of the Shadowbrook Community Association this **DATE**.

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Secretary, Board of Directors



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10/17/1999