

**LOWES FERRY PROPERTY OWNERS ASSOCIATION  
PROTOCOLS AND PENALTY SCHEDULE & SCHEDULE #2 FOR VIOLATIONS TO  
THE DECLARATION OF EASEMENTS, RESERVATIONS, COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR THE PLAT OF LOWE'S FERRY  
AS HEREBY AMENDEDED JANUARY 3, 2019**

**The Declaration of Easements, Reservations, Covenants, Conditions and Restrictions for the Plat of Lowe's Ferry and the Architectural Design Guidelines specifically provide protocols and regulations applicable to all Property Owners. The Board of Directors has the fiduciary responsibility to enforce the regulations to achieve the quality of living in Lowes Ferry desired by the POA.**

In consideration of confusing or ambiguous wording of the Lowe's Ferry Property Owners Association Protocols and Penalty Schedule adapted on January 13, 2016, and the Lowe's Ferry Property Owners Association Protocols and Penalty Schedule #2 adapted March 3, 2016, the Board desires to clarify certain protocols and penalties.

**Specifically ARTICLE 4 PERMITTED AND PROHIBITED USES**

**Clause 4.4, with respect to recreation and utility trailers,**

Owners will be allowed to park recreation and/or utility trailers in their driveways for not more than a maximum of six (6) days during each 6 month period of a calendar year. The six days may be concurrent or spread over the six-month period. This regulation applies to trailers attached to as well as trailers detached from an Owners vehicle. In the event an Owner exceeds this six (6) day allowance, the Board will notify the Owner by email that the timeline has been exceeded, and that a penalty of \$15/day for every day exceeding the six (6) day allowance will commence the day following such e-mail notice.

**Specifically ARTICLE 4 PERMITTED AND PROHIBITED USES Clause 4.6 with respect to construction exceeding twelve (12) months:**

The Lowes Ferry construction period, commencing from breaking ground on Owner's Lot until receipt of Certificate of Occupancy, shall not exceed twelve (12) months. In the event an Owner anticipates construction will exceed this twelve (12) month period, Owner is requested to provide the Board of Directors with written notification of the reasons for such delay and their proposed revised construction timeline. Such request for extension shall be provided no later one (1) month prior to expiration of the original twelve month period. Upon review of the reasons for construction delay, the Board and Owner will agree to a mutually acceptable construction extension. In the event the construction timeline extension is exceeded, Owner shall be assessed a penalty of \$25/day until the Certificate of Occupancy is issued.

**Specifically ARTICLE 4 PERMITTED AND PROHIBITED USES,**

**Clause 4.9, with respect to improper outside storage of refuse and garbage containers:**

Refuse and garbage cans are permitted outside ONLY during the scheduled day of waste management pick-up. Owners violating this regulation will be provided written notice of non-compliance by e-mail. A penalty of \$10/day will apply for any Owner failing to comply within 24 hours of said notice.

**Specifically Clause 4.7, Clause 9.2(a)3.v and Article 10 ARCHITECTURAL REVIEW COMMITTEE, with respect to landscaping , currently reads:**

In the event an Owner fails to provide a landscape plan for approval or is unable to implement the approved plan within twelve (12) months of completion of the home-site, Owner is requested to provide the Board of Directors with written notification of the reasons for such delay and their proposed revised timeline. Such notification shall be provided no later than 15 days prior to the original twelve (12) month period. Upon review of the reasons for delay, the Board and Owner will agree to a mutually acceptable extension. In the event the revised timeline is exceeded, Owner shall be assessed a penalty of \$15/day until the landscaping is complete

**ARTICLE 4 Clause 4.7 and ARTICLE 9, Clause 9.2(a)3.v and Article 10 ARCHITECTURAL REVIEW COMMITTEE and Section E Landscape Design Standards of the Architectural Review Guidelines , with respect to landscaping:**

Application for construction requires submittal and approval of landscape plans according to the referenced Articles. Such landscape plans must be approved prior to completion of the home-site. In the event an Owner fails to provide a landscape plan for approval or is unable to implement the approved landscape plan within twelve (12) months of completion of the home-site, Owner is requested to provide the Board of Directors with written notification of the reasons for such delay and their proposed revised timeline. Such request for extension shall be provided no later than one (1) month prior to the expiration of the allowable twelve (12) month installation period. Upon review of the reasons for delay, the Board and Owner will agree to a mutually acceptable extension. In the event the revised timeline is exceeded, Owner shall be assessed a penalty of \$15/day until the landscaping is complete.

**Specifically ARTICLE 8 LOWE'S FERRY PROPERTY OWNERS ASSOCIATION, INC. Clauses 8.3 & 8.6, with respect to late / delinquent payment of Dues:**

Lowes Ferry Annual POA Dues are collected annually in January and July each year. Any Dues received after January 31 and July 31 of each year will be subject to a penalty at a rate of 5% per annum. The daily interest penalty will accrue until payment is received and the penalty amount added as a separate line item to the billing of Owner's next POA Dues. The Association retains the right to pursue the collection of all other costs incurred with the collection of any such interest, and to pursue any further remedies as defined and permitted under Clause 8.6.

**Specifically with respect to Penalty Billing, currently reads:**

All penalties will be billed at the end of the month in which the violation occurs, except as noted above for delinquent payment of Dues. Penalties must be paid within 30 days of billing. In the event of non-payment, a lien will be placed on Owner's property until such time payment is made in full.

***As permitted in accordance with ARTICLE 12 RULES AND REGULATIONS, the Lowe's Ferry Board of Directors hereby adopts the revisions to the aforementioned protocols and penalty schedule for violations this day, January 3, 2019.***

Agreed by Lowe's Ferry Board of Directors:

President: Julian Smiley \_\_\_\_\_

Treasurer: Steve Jennings \_\_\_\_\_

Secretary: Patricia Mayhugh \_\_\_\_\_

Member at Large: Elvin Stephens \_\_\_\_\_

Member at Large: Rich Kildow \_\_\_\_\_