Sugarland Run Homeowners Association, Inc.
Resolution NO. 001-2025

Policy for Lot Owner Landscaping in Common Area

WHEREAS, the Declaration recorded on February 12, 1971 in Deed Book 524 at Page 140 ("Declaration"), as amended, the recorded Declarations of Covenants, Conditions and Restrictions recorded on February 12, 1971 in Deed Book 524 at Page 163 and on February 26, 1971 in Deed Book 524 at Page 414 ("Covenants"), as amended, the Bylaws of Sugarland Run Homeowners Association, Inc. ("Bylaws"), as amended, and the Articles of Incorporation of Sugarland Run Homeowners Association, Inc. ("Articles of Incorporation"), as amended, collectively known as the Governing Documents, provide that the Lots are subject to the Governing Documents and the rules and regulations of Sugarland Run Homeowners Association, Inc. ("Association" or "SRHOA"); and

WHEREAS, Article I, Section l(c) of the Declaration provides that "Common Area" shall mean and refer to those areas of land designated "Common Area" and/or "Green Area" on any recorded subdivision plat of The Properties, but shall not include the real property designated as "Townhouse Common Area," and said areas are intended to be devoted to the common use and enjoyment of the Lot Owners; and

Whereas Article VI of the Bylaws empower the Board of Directors ("Board") to maintain the Common Areas; and

Whereas the Declaration charges the Board to be fiscally responsible and maintain an Annual Budget for the Association; and

Whereas Article IV, Section 1 of the Declaration states, "every Owner shall have a right and easement of enjoyment in and to the Common Areas and such easement, shall be appurtenant to and shall pass with the title to every Lot, Living Unit and Multifamily Structure;" and

Whereas Article IV, Section 3 of the Declaration states "Any Owner may delegate his rights of enjoyment to the Common Areas and facilities to the members of his family, tenants, or contract purchasers (and members of the family of any tenant or contract purchaser) who reside on the property;"

SRHOA does hereby set forth as follows:

There shall be no Common Area landscaping of any kind without first obtaining Board approval. The following guidelines pertain to the installation of new vegetation and/or alteration of existing vegetation within Common Areas by a Lot Owner.

As the Board supports neighborhood beautification, it may consider requests from Lot Owners who wish to install, at their cost, new vegetation and/or alter/remove existing vegetation (e.g. - English Ivy vines) within

the Common Areas. To appropriately consider long-term maintenance costs, the Board requires that the requesting Lot Owner provide a written plan depicting the location of the alteration, the species to be planted/removed, and the steps that will be followed by the Lot Owner to care for any new planting during its establishment (usually a period of 1-3 years). Lot Owners will be responsible for the establishment and maintenance of any approved planting. The request and accompanying plan shall be provided to the General Manager, who will provide a preliminary review. The General Manager's preliminary review will determine whether the plan requires additional information from the requesting Lot Owner or the plan is sufficient for the Board to review.

The Board reserves the right to deny approval of a request and revoke prior approval for any reason.

APPROVAL OF THE INSTALLATION/REMOVAL OF ANY VEGETATION ON THE COMMON AREAS BY THE BOARD SHALL CONSTITUTE A REVOCABLE LICENSE-WHICH SAID PERMISSION MAY BE REVOKED, WITH OR WITHOUT CAUSE, BY THE BOARD IN ITS SOLE DISCRETION. THE LOT OWNER SURENDERS ANY CLAIM TO OWNRSHIP OR EXCLUSIVE USE OF THE COMMON AREA. In such case, notice of revocation of the license shall be hand delivered or sent by certified mail, return receipt requested at least fourteen (14) days prior to the date of revocation of the license to the Lot Owner at the address on record with the Association.

No requested planting will be approved if the location is within 2 feet of any paths, sidewalks, or roads.

Owner assumes responsibility for any future damage to their property should the plant or its root system or any branches impact their fence or Lot.

Any approval, if granted, will be conditional upon receiving a utility location report from Miss Utility that indicates no conflict with the proposed planting. The General Manager will be responsible for contacting Miss Utility. No site work can take place until the General Manager conveys such permission to the Lot Owner.

- Vegetation Selection:

Invasive plants will not be approved. The Virginia Department of Conservation and Recreation maintains a Virginia Invasive Plant Species List that is updated periodically at https://www.dcr.virginia.gov/natural-heritage/invsppdflist.

SRHOA encourages the installation of native plants. The Virginia Department of Conservation and Recreation maintains a native plant selector tool at https://www.dcr.virginia.gov/natural-heritage/native-plants-finder.

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- Maintenance:

SRHOA pathways are to be kept clear of overgrown vegetation. Common Areas are to be maintained with practices utilizing minimal application of chemicals such as pesticides, herbicides, and fertilizers. Gardening practices shall not involve using manure as fertilizer.

-Drainage: Plantings and/or gardens shall not obstruct, alter or in any way modify the established drainage pattern from, on or over the Common Area or any Lot.

- **Vehicular Site Lines:** *Plantings shall not restrict vehicular sight lines along roadways or driveways.*

- **Structures and Similar Items:** *No structures, decorative objects, furniture, sculptures, holiday decorations, fountains, bird baths, or similar items, of any kind will be permitted. This prohibition includes but is not limited to signs, fencing, trellises, and animal feeders.*

- General Responsibilities:

- *The Lot Owner should ensure before planting that the chosen location is amenable to the proposed landscaping (e.g., there is no bedrock just below the soil surface, appropriate sunlight will reach the site for the proposed plant species, and the area drains sufficiently following rain).*
- *The Lot Owner shall water the planting as needed for the planting to become successfully established.*
- *While care for landscaping plants within an approved plan is the responsibility of the Lot Owner, the Board maintains authority of the Common Area, and the plantings, and reserves the right to remove any installed plantings at any time for any reason.*

This Resolution was adopted by the Board of Directors on **April 2-2025.**

The effective date of this Resolution is **April 2-2025.**

The Board directs that this Resolution regarding the Common Areas maintenance and planting should be reasonably published and distributed to the Lot Owners.

By: _____ 2 APR 25
President

Attest: Patricia L. Bruder 2 April 2025
Secretary