

VILLAS AT PARKSIDE HOMES ASSOCIATION

Policy and Procedures for Street Parking and Lawn Art

WHEREAS, the Declaration of Covenants, Restrictions, Assessments and Easements of the Villas at Parkside were recorded on May 23, 2004 in Book 90017, Page 944 et. seq. in the public records of the Register of Deeds of Johnson County, Kansas by Parkside Villas, LLC, as Declarant and Developer of the subdivision;

WHEREAS, the Declaration grants the Villas at Parkside Homes Association, through its Board of Directors, the power to conduct the business and affairs of the Villas at Parkside Homes Association and to enforce the Declaration and the Association's Bylaws;

WHEREAS, Section 2(e)(iii) of Article III of the Declaration prohibits overnight parking of motor vehicles, boats or other trailers, or similar apparatus of any type or character on any street or in common areas in the subdivision;

WHEREAS, Section (2)(q) of Article III of the Declaration provides that the Board of Directors of the Homes Association may enforce the restrictions by levying fines and having vehicles, trailers and other apparatus towed away at the expense of the owner;

WHEREAS, Section 2(c)(v) of Article III provides that:

No artificial flowers, artificial vegetation shall be permitted on the exterior of any residence or in the yard. No bird baths, statuettes or other lawn art shall be permitted on the exterior of any residence or in any yard without the prior written consent of the Board or as may be permitted by rules and regulations adopted by the Board. No lawn art may obstruct or interfere with the maintenance activities of the Association and the Association and its contractors shall have absolutely no liability with respect to any damage to any lawn art caused by such maintenance activities.

WHEREAS, Section 1(d) of Article VIII of the Declaration requires the Association to provide lawn care of grass areas whether in a Common Area or a Lot;

WHEREAS, the Bylaws, in Section 9.2 of Article IX, authorize the Board of Directors to adopt and publish rules and regulations governing the use of the Common Areas and the personal conduct of the members and their guests thereon;

WHEREAS, the paved streets within the townhome property are common areas;

WHEREAS, Section 4(k) authorizes the Board to make reasonable rules, regulations and guidelines regarding the use of common areas; and

WHEREAS, the Bylaws of the Villas at Parkside Homes Association, Inc., in Section 9.11 of Article IX, authorizes the Board of Directors to appoint a committee composed of at least one director and any other individuals as the Board shall designate.

NOW, THEREFORE, BE IT RESOLVED that in order to assure equitable parking and an attractive community, the Board of Directors establishes a Street Parking and Yard Art policy as follows:

(Street and Grounds Committee)

The Board of Directors shall appoint a Street and Grounds Committee consisting of at least one director and two or more unit owners who shall be authorized to enforce Section 2(c)(v) and Section 2(e)(iii) of Article III of the Declaration by presuming that any automobile or similar apparatus parked on the streets between the streets between 11 p.m. and 6 a.m. is parked overnight.

(Parking Rules and Procedures)

In the event an automobile or similar apparatus is parked on the street in the Parkside Villas subdivision after 11 p.m. or before 6 a.m. on Sunday through Friday mornings or between 1 a.m. and 6 a.m. on Saturday and Sundays, the vehicle is subject to tow without further notice at the expense of the vehicle owner. Towing charges shall not be considered a fine. Committee members are authorized to act independently and to use their best judgment to determine when an automobile or other apparatus should be towed.

In event of extenuating circumstances (such as driveway repairs, planned visitors from out of town, etc.) the Board may, in its absolute discretion, waive this parking procedure upon written application from an owner. All such waivers by the Board shall be in writing.

The Committee may levy a fine of \$50 per occurrence against the property owner, renter or guest whose automobile or other parked apparatus is towed.


All fines, costs and expenses necessary to enforce this policy shall be levied against the property owner and shall be an assessment against the owner's property and subject to all lien and collection powers of the Association.

(Lawn Art Rules and Procedures)

In the event artificial flowers, artificial trees, artificial vegetation, bird baths, statues or other lawn art shall be placed on the exterior of any residence or in any yard without prior written consent


of the board, committee members are authorized to act independently and to use their best judgment to remove said items from residences and lawns and either return the items to the owner or dispose of the items.

Signed October 26, 2006



(Printed Name) Gary Jones, Board Member

Signed October 26, 2006



(Printed Name) Mary Jo Allen, Board Member