

Mallard Trace Home Owners Association

Resolution on Home and Lot Maintenance

WHEREAS, the Board of Directors of the Mallard Trace Home Owners Association is empowered on behalf of the Association to enforce the Declaration of Covenants, Conditions and Restrictions for Mallard Trace pursuant to Article VI of the Mallard Trace Homeowners Association ByLaws.

WHEREAS, Section 47F-3-102 (1) of the North Carolina Planned Community Act provides that a home owners association may adopt rules and regulations.

WHEREAS, there is a need for specific rules to enforce condition 21 of the Supplementary Declaration of Covenants, Conditions, and Restrictions for Mallard Trace stating that “each owner shall keep his lot in an orderly condition and shall keep the improvements thereon in a suitable state of repair, promptly repairing any damage thereto by fire or other casualty.”

WHEREAS, it is the intent that these rules be applicable to all home owners, and this resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors.

NOW, THEREFORE, BE IT RESOLVED THAT the following rules on property maintenance are hereby adopted by the Board of Directors:

- Lawns must be mowed and trimmed as often as necessary to maintain a neat and uniform appearance. Grass must be cut before it reaches 8” high.
- Grass clippings, leaves, and other debris from a homeowner’s property must be kept out of the street, street gutters, and storm drains.
- Landscaping elements such as bushes, hedges, planting beds, trees must be properly trimmed and dead plantings removed to maintain a neat appearance from the street or greenway.
- Bare ground and ruts caused by vehicles on grass areas next to driveways must be restored to grass area or paved as part of driveway widening.
- Fencing that has collapsed or has missing members must be repaired, replaced or removed.
- Deteriorating conditions visible on the exterior of a home such as wood rot, rust along a substantial length of gutters, sagging gutters, cracked or collapsing garage door must be corrected.
- Roofs(on homes and/or garages) with missing or broken shingles must be repaired. A roof that has exceeded its useful life must be replaced.
- All painted surfaces must be maintained in a presentable manner with no peeling, chipping or bare wood surfaces.
- Broken or missing doors, windows, siding, exterior trim must be replaced.

Owners that do not comply with these rules will be subject to action according to the Mallard Trace Homeowners Association Violation Policy. Prior to formal action, a reasonable effort will be made by the Board to interact with a homeowner in person, by phone, or email to discuss the rules violation and work out a mutually agreeable time frame for compliance. Not less than three attempts at contact will constitute a reasonable effort.

Adopted by the Mallard Trace HOA Board of Directors 2/18/10