

## **PROPOSED AMENDMENTS TO THE DECLARATION OF COVENANTS FOR VILLAGE WALK**

Our Board of Directors for the Village Walk Homeowners Association, Inc. proposes that our homeowners approve several amendments to our covenants. Our community's original Declaration of Covenants, Conditions and Restrictions were filed with the County Recorder in 1980. In 1999, our homeowners approved the Restated and Amended Declaration of Covenants. In 2010, our homeowners approved the Second Restated and Amended Declaration of Covenants which will be referred to hereafter as the "Covenants". In 2017, our homeowners approved the addition of rental restrictions to the Covenants.

Our Board believes that our covenants need to be updated once again to address issues that were not covered by the Covenants, as well as to "fine tune" some of the existing provisions. The owners of at least 85 of our 168 lots must approve any amendments.

### **Proposed Amendment No. 1 – Fence Materials**

Section 6.9 of the Covenants sets forth criteria on fences. One of the sentences states, "Examples of acceptable fence materials include wood, vinyl-coated chain link, and wrought iron." Several of our homeowners have metal chain link fences that are not coated. Our Board believes that these kinds of fences are acceptable so we recommend that the requirement of vinyl coating be removed. Thus, we recommend that the above sentence be amended to read:

Examples of acceptable fence materials include wood, chain link, and wrought iron.

### **Proposed Amendment No. 2 – Roofing**

Currently, the Covenants make no reference to what are considered acceptable roofing materials. We propose adding a new Section 6.14 to our Covenants to read as follows:

Section 6.14. Roofing Materials. Metal roofs are prohibited.

### **Proposed Amendment No. 3 – Siding**

Likewise, our current Covenants make no reference to what is considered acceptable siding. We propose adding a new Section 6.15 to our Covenants to read as follows:

Section 6.15. Siding. Cement board, vinyl, and cedar are acceptable materials for siding. The ARB will consider other siding materials upon an application from an Owner.

### **Proposed Amendment No. 4 – Solar Energy Systems**

Our Covenants make no reference to solar panels. Earlier this year, Governor Holcomb signed into law a bill concerning solar energy systems for owners who live in homeowners associations. We propose adding a new Section 6.16 to our Covenants to read as follows:

Section 6.16. Solar Energy Systems. The ARB shall have the power to adopt guidelines concerning solar energy systems, including solar panels. However, any solar panels mounted on the “street side” of a home must be parallel to the roof in nature, cohesive in color to the roof, and non-reflective.

#### Proposed Amendment No. 5 – Wind Devices

Our Covenants make no reference to wind turbines. We propose adding a new Section 6.17 to the Covenants to read as follows:

Section 6.17. Wind Turbines. Large turbines are prohibited, but smaller turbines, weathervanes and roof-mounted anemometers are permitted if approved by the ARB. Any such devices must comply with applicable laws and ordinances.

#### Proposed Amendment No. 6 – Mowing

As part of a homeowner’s duties, Section 6.13 of our Covenants contains this sentence: “Mow such portion of the Lot or Lots including any Drainage, Utility, Sanitary Sewer or Water Main Easements located on the Lot upon which grass has been planted at such times as may be reasonably required”. We recommend adding a clause at the end of this sentence to set a maximum height for grass so that it would read as follows:

Mow such portion of the Lot or Lots including any Drainage, Utility, Sanitary Sewer or Water Main Easements located on the Lot upon which grass has been planted at such times as may be reasonably required but in no event will grass taller than six inches (6”) be permitted.