

**DRAFT DERWOOD STATION HOMEOWNERS
ASSOCIATION NO. 2 DRAFT**

Homeowner Information Packet

- General Information for Homeowners/Association Members
- Discussion of Individual and Community Expectations
- Map of Homesites and Common Areas
- Current Year Operating Budget and Payments
- Association Website Description
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GENERAL INFORMATION FOR ASSOCIATION MEMBERS

April 2021

Dear Association Member,

The Board of Directors of your Homeowners Association has adopted the following document.

GENERAL INFORMATION FOR ASSOCIATION MEMBERS is intended to serve as a general information guide for members of the community and is presented on behalf of the current Board

Laszlo Harsanyi, President

GENERAL INFORMATION FOR ASSOCIATION MEMBERS

(a) The Three Adjacent Derwood Station HOAs

The overall Derwood Station subdivision is organized into three legally distinct homeowners' associations; every home in the subdivision belongs to one of these HOAs. The HOAs are Derwood Station HOA (at the northern end of the subdivision), Derwood Station HOA No.2 Inc. ("our" HOA, in the central section), and Derwood Station South (at the southern end).

(b) Derwood Station HOA No 2. Inc (Referred to below as "the HOA")

The purpose of the HOA is to oversee the maintenance of common property, to monitor the curb-appeal and resale value of the homes, and to help make our neighborhood a pleasant and attractive place to live.

To fulfill that purpose, the Association contracts for lawn mowing, snow removal, and other landscaping services involving the Common Areas (**homeowners are responsible for these services on their property and adjacent sidewalks**); reviews proposals submitted by homeowners who want to modify their home or property in ways that affect the overall appearance of the neighborhood; engages the county on issues of community safety (such as repair of potholes or cracked sidewalks), and communicates with and responds to members' concerns concerning HOA operations.

The HOA is incorporated in the State of Maryland and regulated by the State and Montgomery County. The Association by-laws are posted on our website at www.derwoodstation2.com.

(c) The HOA's Board of Directors

The Association is a legally incorporated entity under whose ByLaws its business is conducted by a 5-7-member Board of Directors who serve staggered two-year terms. The members are elected by the homeowners at the annual HOA meeting usually held each spring. Once elected, the Board members select among themselves the President, Vice President, Treasurer, and

Secretary; the remaining members serve as Members-at-Large.

Any homeowner in good standing may run for Board membership.

(d) Budget and Annual Assessment

To fund maintenance and other necessary services, the Association establishes an annual budget and sets the Annual Assessment to be paid by the member homeowners. Billing notices are mailed each December and are due by the first of January.

The amount of the current Annual Assessment for the HOA and a copy of the current budget are posted on the Association's website at www.derwoodstation2.com.

A draft budget is sent to members in the Fall and adopted by the Board after review and comment by the members.

(e) The HOA Agent

Like most homeowner associations, HOA No.2 contracts with a management agency to act as its agent and conduct much of the day-to-day business of the Association. At present, our agent is The Management Group Associates (TMGA). In this capacity, TMGA performs the following functions:

- Conducts periodic drive-through inspections of the neighborhood to identify landscaping and maintenance needs, as well as other items that should be brought to the attention of the Association;
- ~~Acts~~ Acts as the point-of-contact for Montgomery County to communicate with the Association;
- Solicits contracts for services (such as lawn mowing, tree pruning, snow removal, etc.) involving the Common Areas as directed by the Association;
- Advises Association on state regulations and county ordinances that pertain to the community;
- Attends both HOA Board of Directors and Annual meetings.

The Management Group Associates can be reached at 301-948-6666. The name of the primary agent currently serving HOA No.2 is listed on the Association's website.

(f) Monthly and Annual HOA Business Meetings

The Board of Directors usually meets each month (with the December meeting held only if emergent business presents), and a general meeting of all homeowners is held once each year. All meetings are open to homeowners, who are given an opportunity to address the Board and fellow homeowners regarding any issues or concerns.

The monthly Board meetings are normally on the fourth Monday of each month, at locations to be specified (such as at a member's house or virtually via an internet-based conferencing tool). The meetings are called to order at 7:30 p.m. and run approximately 90 minutes. However, the time and location of the meetings are subject to last-minute change, so it is recommended that

any homeowner wishing to attend should contact The Management Group Associates (TMGA) to confirm. Minutes of these meetings are posted on the two community bulletin boards and on the Association website at www.derwoodstation2.com.

Prior to the Annual Meeting scheduled each year, a special announcement of the date, time, and location of the meeting is sent to all homeowners. A quorum [33%] of homeowners is required (i.e., a minimum of [74] homeowners, either present in person or by proxy), or else the meeting must be rescheduled. Homeowners who cannot attend the meeting may submit a proxy/ballot (which accompanies the meeting announcement).

The main order of business at the Annual Meeting is to for officers to report on Association status and issues and to elect members to fill any vacancies on the Board of Directors. There is also a homeowner's forum to present and discuss issues raised by homeowners. The Annual Meeting often has guest speakers such as police officers, elected officials, and other special guests. The Annual Meeting is also a good time to meet your fellow neighbors, to learn about the business of the Association, and to stay involved in your community.

(g) The HOA Website

The Association maintains a website at www.derwoodstation2.com The website has information about upcoming events, active issues in the neighborhood, upcoming meetings in the community. You can also download important documents such as Architectural Change Request applications, as well as a copy of the Association bylaws.

(h) The HOA eMail Distribution List

The Association President maintains a private list of email addresses provided by homeowners. This list is used to provide safety announcements as well as timely reminders of Association activities such as volunteer projects, community social events, assessments overdue, community yard sales, etc. Please provide your contact information if you desire to be on distribution.

(i) The Common Areas:

Common areas are set forth in the Declaration of Covenants, Conditions and Restrictions; they are real property deeded to the Association, as described by the Plats for the development for the common use and enjoyment of the members. A map is available on the bulletin boards and on the Association web site.

These areas can be entered directly at multiple points from streets within the community. Please do not walk-onto private property to enter the Common Areas and obey the rules for their use.

The Association is responsible for providing oversight and maintenance of these common areas that are held by deed in covenant in common by the Association for all of its members.

(j) The Tot Lot and other Recreational Equipment:

In 2001, the Derwood Station No.2 and Derwood Station South HOAs jointly funded the construction of the current Tot Lot to provide a toddler-friendly play area for our younger residents. The Tot Lot is equipped with playground equipment, with a soft ground cover of wood chips.

The Tot Lot is available during daylight hours for use of HOA No.2 and Derwood Station South homeowners, children and guests. It is unfenced, and small children should always be supervised. The Tot Lot can be accessed using the asphalt pathways from the Oskaloosa Drive (next to the bulletin board) or from Titonka Court or Algona Court.

The Association also owns a set of soccer goals placing them at various locations on the common areas to minimize turf damage. These goals should not be moved without permission from the Board.

(k) Other Information

(a) Garbage and Recycling Collection

Residential garbage and recyclable collection are provided by Montgomery County. The county charge for this service is added to your property tax bill. Garbage and recyclables are picked up once a week (currently on Tuesdays) from the curb in front of your house. The county has furnished each home with a large blue recycling bin for paper, metal, and #1 and #2 plastic containers. Bundled branches, yard waste, grass clippings or leaves in paper leaf bags or in trash containers marked "Yard Waste" are picked up as well.

Further information is at: <https://www.montgomerycountymd.gov/sws/trash/service-details.html>

There is no county-provided gutter-collection of raked leaf piles. Leaves that homeowners have bagged in paper yard waste bags may be left on the curb for the normal recycling collection.

DO NOT RAKE LEAVES INTO THE STREET (if you use a lawn service to rake leaves, please ensure that they understand they must also haul them away or bag them for you to place for routine collection!).

Should you have a problem with trash or recycling collection, you can contact the Department of Environmental Protection & Solid Waste at 240-777-6400.

(b) Montgomery County Solid Waste Transfer Station and Recycling Center

You can also take garbage, recyclables, and other wastes (such as used motor oil, paint, yard waste, certain hazardous materials, appliances, junk, etc.) directly to the county Shady Grove Transfer Station at 16101 Fredrick Road You can read about the transfer station function at <https://www.montgomerycountymd.gov/sws/dropoff/>

(l) Local Development Plans

Routinely there are County/State development plans under consideration that will dramatically affect the future of the vicinity of Derwood Station and, therefore, of our community.

(1) The Shady Grove Sector Plan: This describes development (and re-development) of commercial and industrial properties around the Shady Grove metro station. (<https://montgomeryplanning.org/planning/communities/midcounty/shady-grove/>) The M-NCPPC website (www.mcppc.org) presents numerous additional documents on this plan.

(2) Gude Landfill Remediation Plan: The Montgomery County Department of Environment Protection has developed a plan for remediating the closed landfill immediately east of Derwood Station off Gude Drive and has designed low impact recreational areas with parkland, dog park, children's play and educational sections, and other amenities. Details on the project are available at www.montgomerycountymd.gov/sws/facilities/gude.

DISCUSSION OF INDIVIDUAL AND COMMUNITY EXPECTATIONS

APRIL 2021

Dear Association Member,

The Board of Directors of your Homeowners Association has adopted the following document.

- Titled **DISCUSSION OF INDIVIDUAL AND COMMUNITY EXPECTATIONS** discusses the Board's view of the reciprocal expectations of the community for individual Association members and of individual Association members for the community. The Board will do its best to assist in having these expectations realized, and asks each of you to do likewise.

Presented on behalf of the current Board, Laszlo Harsanyi, President

DISCUSSION OF INDIVIDUAL AND COMMUNITY EXPECTATIONS

Common Area

Each property owner has an ownership element in the many acres of Common Area that wind through the community. Management of that Common Area is vested in the elected Board of Directors of the Homeowners Association created by legal covenant binding upon each homeowner. Known as the Declaration of Covenants, Conditions and Restrictions (the "Covenant"); that Covenant also binds each homeowner to paying an Annual Assessment set by the Association and that provides for Common Area maintenance.

The Association has purchased and installed some recreational equipment on the Common Area for the use of residents and their guests. These include a softball backstop, a Tot-Lot, and soccer goals. Additionally, the Common Areas are used by residents to stroll, walk dogs, picnic, play games, and myriad other outdoor activities.

Individual residents are expected to shape their use of the Common Area based upon its joint ownership by all residents and to act within community norms when using this common space. These norms include:

- Cleaning up after their animals;
- Removing their own trash;
- Not operating personal powered vehicles such as go-carts, motorcycles, cars, ATVs etc. on the common spaces;
- Avoiding encroaching on the Common Areas when placing fences, compost piles, or other personal items near property lines;
- **Ensuring that roof water from downspouts is not artificially directed into the common areas; rather, handling systems such as rainwater catchments or dry wells should be**

used;

- Recognize that the trimming, planting, or removal of trees and shrubs on the Common Areas is an Association responsibility, not an individual right;
- Educating other users of these community expectations.

Noise and Light Pollution

Persistently barking dogs, late and loud parties, and/or booming music can be source of neighborhood disputes. Similarly, bright external lights burning into the night can disrupt the sleep of those in adjoining homes. Common courtesy and applicable County code each apply to such situations.

Animals

Here too, common courtesy, and applicable County code, requires that each owner control their animals' movements and noise, clean up their droppings, and prevent them from urinating on the property of other (urine kills the grass and the flowers!).

Streets, Sidewalks, Strips Between the Sidewalk and the Streets, and Parking

All streets and sidewalks in the neighborhood are the property of the County, and State and County laws/ordinances apply to their use and are regularly enforced by the police. The county is responsible for infrastructure maintenance of streets and sidewalks, for tree trimming in the strips between sidewalks and streets, and for plowing the roads of snow. However, individual homeowners with sidewalks on any border of their property between their property and the street are responsible for both the prompt snow removal from the sidewalks and the mowing of /leaf removal from the strip between the street and the sidewalk. The Board contracts for this maintenance for sidewalks bordering Association Common Areas.

Exterior Maintenance

Montgomery County's numerous ordinances regarding many aspects of exterior maintenance apply to individual property owners within our community and can be enforced by actions of County officials.

However, having each homeowner aware of and working within the community norms has been a central element in the success of our neighborhood. Those norms include:

- Regular mowing and edging lawns ... almost weekly during the peak growing seasons; homeowners with sidewalks in front of their property are responsible for grass mowing and edging of this county-owned area;
- Properly disposing of raked leaves; remember:
 - There is no County-provided leaf pick-up in our neighborhood.
 - Placing leaves into the street (or the strip between sidewalk and street) simply means they blow onto someone else's lawn and clog storm drains!
- Cleaning dirt and trash from the street side gutters and storm drains in front of private property (The County does street sweep once or twice a year, but individual efforts are required to keep up "curb appeal.")

- Quickly removing snow and ice from sidewalks adjacent private property to allow walkers, including small children going to and from school buses, the safe use of these sidewalks;
- Maintaining their property's "curb view" in such a manner that potential buyers of a nearby property would find unobjectionable;
- Considering that one's back yard can also provide the "window or deck view" of several neighbors when choosing where to place a compost pile, stack garden equipment, or store other items.
- Removing seasonal lighting once the season has passed.

NOTE: Owners of corner lots have these obligations to both "views" of their property

Modifications and Improvements

Montgomery County's numerous building code requirements apply to homes in this neighborhood; these are quite complex and routinely enforced. Therefore, for other than minor repairs, each owner will be wise to check with the appropriate County agency before installing fences, placing sheds, making structural alterations, etc. to their property and, if required, to obtain Building Permits and display them as the County requires.

Additionally, the original builder placed covenants on the individual properties intended to preclude some dramatic change in a property that offended the community and/or might degrade property values.

Therefore, in addition to each and any County requirements, our Community has in place a very successful program of registering external modifications to individual properties. Essentially this program has the individual homeowner provide the Association with a description of their proposed changes and signatures of the abutting neighbors indicating their awareness of the nature of the planned changes (NOTE: These signatures indicate awareness ... not approval ... of the proposed changes). Forms for this notification are available on the Association website and from the Management Group, and can be submitted by mail or email for review by the Association's Architecture Review Committee.

The Association then rapidly reviews and responds to the proposed changes; this response may include suggestions for alterations to the proposal intended to retain the neighborhood's "character and ambiance."

For the 25+ years that this process has been in place, it has well-served the community both by allowing changes to reflect the needs and desires of individuals and to balance those needs with the esthetic tastes of their neighbors. There have been no "big legal feuds" over these issues in this entire time; we all want to keep it that way.

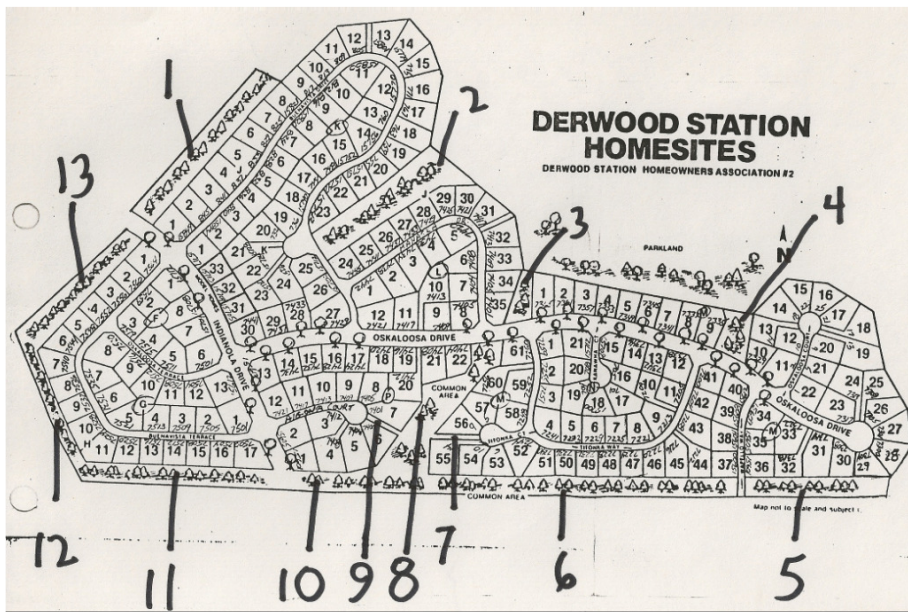
Annual Assessments

The annual assessment "pays the bills" for all the activities required of the Association by the governing documents including Common Area maintenance, insurance, management services, and other items. The assessment is set by the Board of Directors in November after notification to and discussion with members. Invoices for the assessed amount are sent to each Association member

in December with a due date of 1 January. The Association has established policies to ensure the collection of this annual assessment, and enforcing those policies is a Board responsibility that ensures each member bears their fair share of the costs of the Association's efforts on behalf of the community.

MAP of HOMESITES and COMMON AREAS

(Numbers indicate specific Common Areas)



Current Year Operating Budget and Payments

Invoices for the following year's annual assessment are sent to members each year in early December.

- Payment is due **in full** on 1 January.
- Instructions for each of several methods of submitting payment are included in the invoice sent in December as well as on the [erbsitewebsite](#).
- Questions about the annual assessment or about submitting payment should be addressed to the Management Group representative at scollins@tmgainc.com.

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The Association Website

The Association operates a website at www.derwoodstation2.com. It contains a variety of information about the neighborhood and the Association, and is updated when appropriate. The site map with direct links to many of the site pages is at [www.DerwoodStation2.com/1-Site Diagram.html](http://www.DerwoodStation2.com/1-Site-Diagram.html).

Questions and suggestion regarding the website can be submitted to The Management Group's representative at scollins@tmgainc.com.

Please report any broken links or problems to The Management Group's Representative.

Options for Receiving Official Association Correspondence

Our HOA has a legal obligation to officially notify its members regarding several items of Association business such as:

- Solicitation of comments regarding draft Annual Budgets
- Notification of approved Annual Budgets
- Notification/Call for Annual Association Meetings
- Absentee ballots/Proxy ballots for election of officers
- Other official communications directed by the BOD to be sent to all members.

Historically, notification for each of these several items has been done via US Mail; each mailing incurs a significant cost for printing, folding, addressing, and postage.

The Board of Directors wish to minimize this recurring communication cost by sending such items via e-mail to as many members as possible. (This use of e-mail is allowed under existing Maryland statutes, as long as the Association has the member's permission.)

This is a request from the Board for your permission to send such required items to you via e-mail; you may rescind such permission at any time.

If you give your permission, the Board will guard the privacy of your e-mail address so obtained to prevent its use for other than such official Association Business.

NOTE: State law requires the Association to have a member's authorization specifically for this purpose. Simply having previously agreed to be on a generic community e-mail distribution list is not sufficient.

To participate, please copy, fill out, and email the form below to the Board President, Laszlo Harsanyi at this e-mail address: LaszloHa@gmail.com.

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PERMISSION TO USE EMAIL FOR OFFICIAL NOTICES/INFORMATION

I give my permission for Derwood Station HOA#2 Inc. to use the e-mail address below to send to me official notices/information as required by Association governing documents and/or applicable Maryland statute. I may revoke this permission at any time by notifying the Board of Directors or its representatives.

Name of Association Member: _____

Member's Derwood Station Property Address: _____

Date: _____

Member's e-Mail Address: _____

Making External Changes to Your Property

Montgomery County's numerous building code requirements apply to homes in this neighborhood; these are quite complex and routinely enforced. Therefore, for other than minor repairs, each owner will be wise to check with the appropriate County agency before installing fences, placing sheds, making structural alterations, etc. to their property and, if required, to obtain Building Permits and display them as the County requires.

Additionally, the original builder placed covenants on the individual properties intended to preclude some dramatic change in a property that offended the community and/or seemed to degrade property values.

Therefore, in addition to each and any County requirements, our Community has in place a very successful program of registering external modifications to individual properties. Essentially this program has the individual homeowner provide the Association with a description of their proposed changes and signatures of the abutting neighbors indicating their awareness of the nature of the planned changes (**NOTE: These signatures indicate awareness ... not approval... of the proposed changes**). Forms for this notification (see below) are also available from the Management Group. and can be submitted by mail or email for review by the Association's Architecture Review Committee. Also, a downloadable version and an editable online version are on our website at www.DerwoodStation2.com/Documents/RecentDocuments.htm.

The Association then rapidly reviews and responds to the proposed changes; this response may include suggestions for alterations to the proposal intended to retain the neighborhood's "character and ambiance."

For the 25+ years that this process has been in place, it has well-served the community both by allowing changes to reflect the needs and desires of individuals and to balance those needs with the esthetic tastes of their neighbors. There have been no "big legal feuds" over these issues in this entire time; we all want to keep it that way.

DERWOOD STATION HOMEOWNERS ASSOCIATION, NO. 2, INC.

NOTICE OF INTENT TO MAKE MODIFICATIONS

NAME:		DATE:
ADDRESS:	LOT NO.	PHONE

DESCRIPTION OF MODIFICATION: Describe all materials and colors or finish; where appropriate, attach drawings indicating design, dimensions and elevation detail, include plot plan indicating location.

Estimated Completion Date:

NEIGHBOR NOTIFICATION: Initialing this request form indicates notification only, not approval. Comments or objections may be attached to this application or mailed to the Management Group Associates at 20440 Century Boulevard, Suite 100, Germantown, MD 20874.

Homeowner Name	Address / Lot #	Initials	How & When Delivered

PLEASE NOTE THAT:	
Montgomery County requires permits and inspections for many modifications; all such permits and inspections are homeowner responsibilities	
Comments from nearby homeowners are encouraged and may be attached to this form;	
See back of form for further detailed instructions	
	Signature of Homeowner:
	Date:

ARC ACTION	ARC Chairperson Signature:	Date:
	No Concerns noted:	

	Concerns noted; Specifically:

DERWOOD STATION HOMEOWNERS ASSOCIATION NO. 2, INC.

Dear Homeowner,

The following is quoted from the **DISCUSSION OF INDIVIDUAL AND COMMUNITY EXPECTATIONS** as approved by the Board of Directors in October 2009 and distributed to the Association Members.

Modifications and Improvements

Montgomery County's numerous building code requirements apply to homes in this neighborhood; these are quite complex and routinely enforced. Therefore, for other than minor repairs, each owner will be wise to check with the appropriate County agency before installing fences, placing sheds, making structural alterations, etc. to their property and, if required, to obtain Building Permits and display them as the County requires.

Additionally, the original builder placed covenants on the individual properties intended to preclude some dramatic change in a property that offended the community and/or seemed to degrade property values.

Therefore, in addition to each and any County requirements, our Community has in place a very successful program of registering external modifications to individual properties. Essentially this program has the individual homeowner provide the Association with a description of their proposed changes and signatures of the abutting neighbors indicating their awareness of the nature of the planned changes (NOTE: These signatures indicate awareness ... not approval ... of the proposed changes). Forms for this notification are available on the Association website and from the Management Group.

The Association then rapidly reviews and responds to the proposed changes; this response may include suggestions for alterations to the proposal intended to retain the neighborhood's "character and ambiance."

For the 20+ years that this process has been in place, it has well-served the community both by allowing changes to reflect the needs and desires of individuals and to balance those needs with the esthetic tastes of their neighbors. There have been no "big legal feuds" over these issues in this entire time; we all want to keep it that way.

INSTRUCTIONS:

1. Complete the request form indicating/providing dimensions, plot plans, paint samples, fencing styles, materials, etc. as indicated on the form.
2. Obtain initials from the "abutting" homeowners (i.e. "next door," "across the street" and "across the backyard" indicating that they have been notified of the proposed modification. Initials must be from the homeowner of record and not tenants. Addresses of non-resident owners can be obtained from the Association manager.

Initialing of the request form does not indicate approval; abutters may express their concerns to the ARC directly.

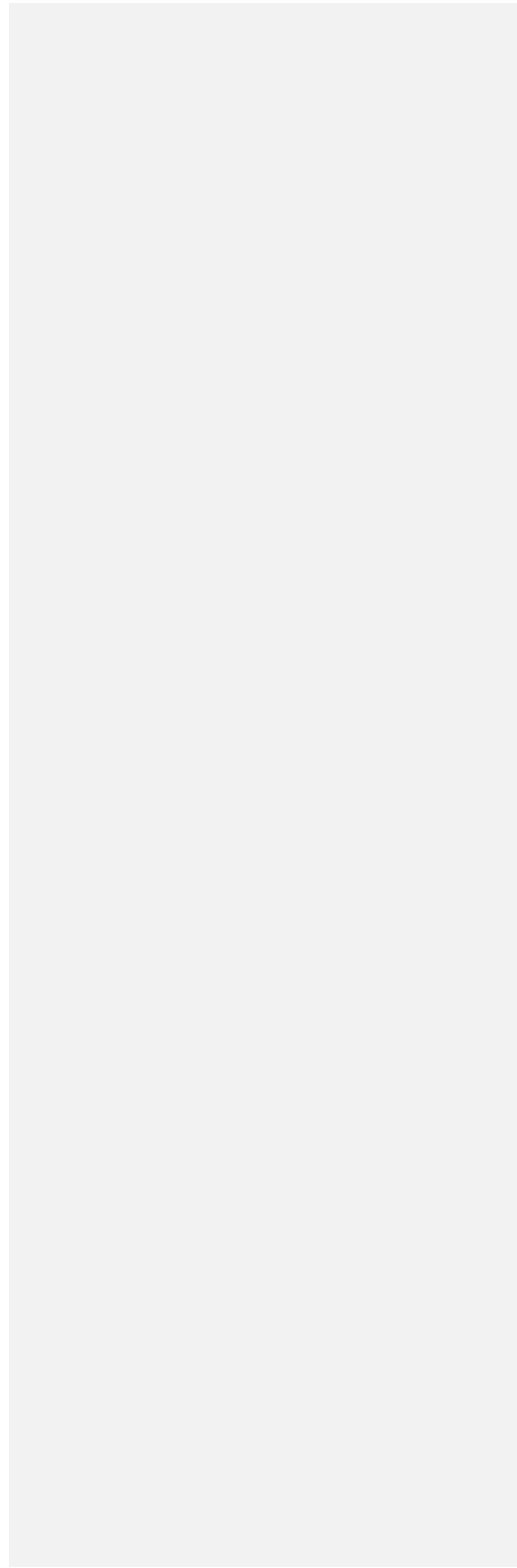
3. Submit the original and one copy of both the request form and all supporting materials to The Management Group Associates at 20440 Century Boulevard, Suite 100, Germantown, MD 20874.

PLEASE ALSO NOTE THE FOLLOWING:

- The Architectural Review Committee (ARC) is appointed by the Board of Directors (BOD) and advises the BOD as to whether or not it is their opinion that planned modifications to property in the community balance the needs and desires of individuals with the esthetic tastes of their neighbors.
- The ARC will review the application, and if the ARC has no concerns regarding the application, they will so notify the applicant and the BOD.
- If the ARC has concerns, they will bring those concerns to the attention of both the applicant and the Board of Directors;
 - In such cases, the applicant can provide the Board of Directors with any additional information or intended modifications prior to Board action;
 - No later than at its next monthly meeting, the Board will determine whether or not it has any concerns regarding the application and so notify the applicant.
- It is the applicant's responsibility to ensure that have all required Montgomery County Permits and meet Montgomery County building codes and covenants setback requirements. The ARC does not provide a review of engineering, water flow, or any other areas requiring professional or technical advice.

- A lack of expressed concern by the ARC or by the BOD does not constitute authorization to use Association common property for access to homeowner's property by vehicles during construction. Authorization to do so must be secured separately from the Association's Board of Directors.
- A lack of expressed concern by the ARC or by the BOD is unrelated to the process described in the Declaration of Covenants filed by the original developer with the Montgomery County Clerk on 31 March 1982.

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Links to Useful Externally Maintained Websites

Please report any broken links or problems to The Management Group's Representative scollins@tmga.com

Derwood Station HOA Website:

www.derwoodstation2.com

County Trash Pick-up/Recycling Information:

<https://www.montgomerycountymd.gov/sws/dropoff/>

Shady Grove Sector Plan:

<https://montgomeryplanning.org/planning/communities/midcounty/shady-grove/>

Montgomery-National Capital Parks and Planning Commission:

<https://mncppc.org>

Gude Land Fill Planning:

www.montgomerycountymd.gov/sws/facilities/gude

Montgomery County Animal Services:

<https://www.montgomerycountymd.gov/animalservices/about/contact.html>

Montgomery County Building Codes:

<https://www.montgomerycountymd.gov/DPS/Codes/residential-const-codes.html>

