

Derwood Station Homeowners Association, No. 2
Derwood, MD 20855

Board of Directors
2009—10

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November 11, 2009

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. By legal covenant, the 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, soccer goals, and a badminton/volleyball net. Additionally, the Common Area is 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;

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- Avoiding encroaching on the Common Areas when placing fences, compost piles, or other personal items near property lines;
- 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 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.

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-easement area;

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- Properly disposing of raked leaves; remember: 1) There is no County-provided leaf pick-up in our neighborhood, and; 2) placing leaves into the street (or the strip between sidewalk and street) simply means they blow onto someone else's lawn!
- 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 shoveling snow from sidewalks in front of private property to allow walkers 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 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."

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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.

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.

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