

CEDAR KEY ESTATES ASSOCIATION, INC.

REGULATIONS

In accordance with ARTICLE TWO, Section I, of the Articles of Incorporation for this Association it is the responsibility of the corporation to promote the health, safety, and welfare of the owners of the property to which ingress and egress is attained by the use of Cedar Key Lane. Further, in accordance with Article II, Section 9(3), of the association Bylaws, the Board of Directors may adopt and amend rules and regulations for the use of the property.

Accordingly, the Board of Directors has the duty to maintain the road rights-of-way and to make such regulations as necessary to do so and to provide for enforcement measures. Whereas, this authority to keep all roadways clean and clear for the purpose of public safety, the Board of Directors hereby establish the following regulations:

REGULATION NO. 1

Parking & Signs

Controlling the parking of vehicles of any type, including trailers or other types of mobile equipment or the placement of any objects such as signs, reflectors or any other objects, except mail and newspaper boxes.

A. The parking of any type of vehicle within the fifty foot (50') road right-of-way for more than seventy-two (72) hours is prohibited. However, this time limitation will be extended in the event of snow storms and such extension shall continue in effect for the duration of the storm and a reasonable time thereafter where melt-down again allows for the normal use of driveways. In all cases vehicles shall be parked on the shoulder of the road and not on the paved part of the roadway.

B. The placement of signs of any type or any other objects within the fifty foot (50') right-of-way is prohibited. The only exception to this rule is the placement of either U. S. Mail or newspaper boxes.

C. In the interest of the health, safety and welfare of the community, these regulations will be enforced by the Board of Directors. Such enforcement may entail the removal of objects or vehicles in violation of these regulations, after due notice to the property owner or owner of any such vehicle, at the expense of the owner thereof.

D. The restrictions (Protective Covenants) for Cedar Key Estates, Cedar Key Fishing Resort Extension, and Silver Bay Subdivisions prohibit the parking of any vehicles in the road right-of-way within those subdivisions at any time. Residents within these areas should be aware of these restrictions. In order to make the foregoing regulations apply equally to all members of this Association, the Board of Directors will not enforce the parking regulations established for these three subdivisions beyond the provisions of A, B, and C above, unless a specific complaint is registered by a property owner within the above named subdivisions.

E. These regulations are not applicable to the area encompassed by the Cedar Key Fishing Resort.

Notes- Regulation #1 was adopted by a unanimous vote of the Board of Directors on April 3, 1993, to become effective on July 1, 1993.

REGULATION NO. 2

Threatening Trees and Branches

Consistent with the Board of Directors (BOD) responsibility to protect the health, safety and welfare of Association members, the BOD will respond accordingly if a tree or limb has been identified as “threatening”. A threatening tree is defined as one that is dead, severely diseased or damaged, and it, or branches of it, could fall on a road or within the road right of way (ROW) within Cedar Key Estates possibly causing damage or danger to human health.

A. Concerns regarding threatening tree may be addressed to the Board by CKEA homeowners at any time or during annual or periodic inspections conducted by the Department of Forestry (DOF) or similarly qualified arborists. Threatening trees within the road ROW may be identified within CKEA homeowners’ properties, the CKEA HOA roads, AEP or Southside Electric Cooperative easements, or on Virginia Department of Forestry (DOF) lands. Actions for each is similar in that: a concern may be identified and brought to the attention of the BOD; the appropriate land owner will be notified with photographs of the concern; and a request to take correcting action will be delivered to the land owner.

B. Specifically, when a threatening tree or branch on the owner’s land is brought to the attention of the Board, the Board’s President shall direct preparation of correspondence to the homeowner indicating that their tree or limb has been identified as a concern. The correspondence should provide: a photograph of the specific tree; a suggested but not exclusive list of tree specialists and their contact information (for homeowners); and a request that the landowner take appropriate action to remove/reduce the hazard. It should also mention to homeowners that the homeowner’s home insurance might not cover any damages or injury caused by this threatening tree. Homeowners should verify that the tree specialist is insured prior to performing any work.

C. If the homeowner does not take down a threatening tree or limb located within the vertical or horizontal road easement within 60 days, then the BOD will act under its authority to remove the threatening tree or limb. The BOD will not under any circumstance enter upon the private land of said homeowner to remove such tree or limb. The bill to remove this identified threatening tree or limb will be sent to the said homeowner for payment. If the homeowner does not pay such bill within 90 days, then the BOD will enforce a special violations assessment of \$50 following the required procedures as stated in the Bylaws.

D. EMERGENCY PROCEEDURES IF A TREE/LIMB HAS FALLEN

Life Threatening Emergency: In the event of a life-threatening situation, Fire and Rescue will remove the tree/limb if passage is impaired.

Non-threatening Emergency: Should a tree/limb be identified, the “owner” of the road is the first to be called. Specifically;

DOF Roads: DOF should be called immediately. Should they not be able to respond in a timely manor, a list of community volunteers will be available to all residents. These volunteers will have signed a Firewise Release and Indemnification Agreement releasing the Association of insurance liability. If no volunteer is available, then a contractor should be called. The BOD will provide a non-inclusive list of both the contractors and volunteers to its.

Private Roads: All homeowners (except residents of Cedar Key Fishing Resort) own to the center of the main road in front of their home. Should you not be able to remove this tree/limb yourself from your roadway, call one of the volunteers. The volunteer will contact the homeowner in any event to advise of the situation. Should a volunteer not be available, a contractor should be called.

Revised Regulation #2 approved by the membership on June 20, 2015.

REGULATION NO. 3

Unloading/Loading Heavy Equipment

To prevent extensive damage to our paved roads due to heavy equipment operations, any HOA member who is under contract to build, repair or renovate a home in Cedar Key Estates must advise the contractor in writing in advance of work begun of the requirement to Unload/Load any heavy construction equipment only upon the owner’s own property, specifically not on HOA paved roads. The owner notification to said contractor shall also require the contractor to notify all subcontractors of this requirement. Heavy equipment includes, but is not limited to, “yellow iron” construction equipment, most of which are wheeled or tracked vehicles and construction machines. Tracked vehicles easily score soft road surface treatment during normal operation, and large equipment with large treaded tires are known to damage the pavement when turning sharply. As outlined in the Article 4.3 of the Association Bylaws, any damage to the roads directly caused by the contractor during construction of a home will be assessed to the construction homeowner. The homeowner will be notified as described in Article 2.10.g of the Bylaws. This special assessment is above and beyond the “construction fee” as defined in Section 4.3 of the Bylaws and is due within 60 days of receipt of the assessment notice.

Regulation #3 approved by the membership on June 20, 2015.