

EVERGREEN ESTATES HOMEOWNERS ASSOCIATION, INC.

Policy Resolution Concerning Enforcement of the Exterior Maintenance Covenant

WHEREAS the Declaration of Covenants, Conditions and Restrictions for the Evergreen Estates Homeowners Association, Inc. provides in Article VII, Section 1 of the Declaration that:

Each Owner shall keep each Lot owned by him and all improvements therein or thereon, in good order and repair and free of debris, including but not limited to the seeding, watering and mowing of all lawns, the pruning and cutting of all trees and shrubbery and the painting (or other appropriate external care) of all buildings and other improvements, all in a manner and with such frequency as is consistent with good property management.

WHEREAS the purpose and goal of Article VII, Section 1 of the Declaration is to preserve and protect the exterior appearance of the community and promote increased property values for the benefit of the membership; and

WHEREAS Article VII, Section 2 of the Declaration provides the Association with certain rights and remedies related to the abatement of covenant violations. Section 2 states:

In the event an Owner of any Lot in the property shall fail to maintain the Lot and the improvements situated thereon or shall violate the provisions regarding the storage of trash and garbage (Section 4, Article VI) or regarding the construction of fences and storage sheds (Section 13, Article VI), the Board of Directors shall have the right to enter upon said Lot to correct drainage and to repair, maintain and restore the Lot and the exterior of the buildings and any other improvements erected thereon, and to correct any violations relating to trash, garbage, fences and storage sheds. All costs related to such correction, repair or restoration shall become a lien upon such Lot and said lien shall be enforced in the same manner as an annual assessment levied in accordance with Article IV hereof...

WHEREAS the Board of Directors has deemed it necessary and desirable to establish a uniform policy and procedure to enforce the maintenance obligations recited above;

THEREFORE BE IT RESOLVED that the following procedure for enforcement of Article VII, Section 1 of the Declaration is hereby adopted this 21st day of February, 2006, by a majority of the Board of Directors of the Association, whose signatures appear hereupon.

PROCEDURE FOR INSPECTION, NOTICE AND ENFORCEMENT

INSPECTION - From time to time, as deemed appropriate by the Board of Directors, each Lot contained within the Association shall be inspected to determine if each such Lot is being maintained in a manner consistent with good property management. This inspection shall be conducted at least annually, however, it may be conducted more frequently if the Board of Directors deems it necessary.

INITIAL NOTICE TO OWNER - If any property is found to be deficient in its exterior maintenance or if the Lot is otherwise in violation of Article VII, Section 1 of the Declaration, the Board of Directors (or its agent) shall cause a notice to be sent to the owner of the Lot at the address contained in the records of the Association. The notice should describe the nature of the violation and provide the action deemed necessary to correct the violation. The notice to the owner should also provide a deadline for completion of the necessary corrective measures.

SECOND NOTICE TO OWNER - If the Lot owner should fail or refuse to correct the violation after the Association has sent the initial notice, the Board must determine which of the two following options are appropriate.

1. Self Help Remedy - In accordance with Article VII, Section 2 of the Declaration, the Board of Directors has the Authority to "enter upon said Lot to correct drainage and to repair, maintain and restore the Lot and the exterior of the buildings and any other improvements erected thereon, and to correct any violations relating to trash, garbage, fences and storage sheds." This option should only be used when the necessary corrective action can be completed in less than one day or the property is vacant.

1A. Self Help Notice - If the Board of Directors determines that the Self Help remedy is the appropriate next step, then a notice should be sent to the owner indicating that the Association intends to take the necessary corrective action upon itself. This notice should provide the owner with not less than ten (10) days time during which the owners can complete the necessary corrective action. The notice should contain an advisement that the costs associated with the Association's repair efforts will be assessed to the Lot owner in accordance with the Declaration.

2. Legal Action by Attorney - If the Board of Directors determines that the self-help remedy is inappropriate or not advisable, then the Board of Directors (or its agent) should send a second notice to the Lot owner explaining that failure to take

the corrective action within ten (10) days will cause the matter to be referred to the Association's attorney for legal enforcement action.

ENFORCEMENT ACTION - If the Lot owner fails to respond to the second notice, the Board should proceed in accordance with the option selected above. If the self help option was selected, the repairs should be commenced and the owner should be sent an invoice for the costs incurred. If the owner fails to pay the invoice as demanded, the account should be referred to the Association's attorney for the commencement of a lien action.

If the self help option was not selected the matter should be referred to the Association's attorney. The Attorney should send the owner a final warning notice indicating that the corrective action outlined in the previous notices must be completed within ten (10) days or the Association will file a lawsuit in the Circuit Court of Prince George's County seeking an order compelling the owner to take the corrective action, If the owner fails or refuses to take the necessary action then the Board of Directors should authorize the attorney to proceed with the filing of the complaint.

MISCELLANEOUS - This policy and procedure is not intended to limit the rights of the Association or its Board of Directors. This policy and procedure is intended to provide guidance to the Board of Directors in handling covenants enforcement issues, however the Board of Directors may deviate from this policy if it deems it necessary or desirable based upon the circumstances of each case. Failure to follow this policy shall in no way prejudice the rights of the Association or the Board of Directors.