



Cherry Glen Homeowners Association

**Property Owner's Association  
Information**

## I. INFORMATIONAL

### 1.1 INTRODUCTION

This handbook contains rules, regulations, and policies that govern living in our community along with procedures that Residents should follow in the event of a problem. Rules and Regulations contained in this handbook are based on local city ordinances, the Declaration of Covenants, Conditions and Restriction (CC&R's), Articles of Incorporation and Bylaws, and have been adopted by the Board of Directors as the Rules and Regulations for the Cherry Glen Homeowners Association. These Rules and Regulations do not replace the above mentioned documents but serve only to clarify them. These Rules and Regulations were adopted to further assist with the mandate of the Declaration for "the preservation of the values and amenities" of the Plat of Cherry Glen. **Compliance with these Rules and Regulations is not voluntary.** By accepting the deed to your property, you agreed to abide by these documents in an effort to protect the value of all of the Property Owners.

1.1.1 **Authority:** The CC & R's as recorded July 29, 2014 provides the Board of Directors with the authority to "adopt reasonable rules and regulations" governing the Plat of Cherry Glen.

1.1.2 **Adoption:** Effective immediately, the Board of Directors hereby adopts this handbook and future amendments hereto, including the rules and regulations herein, as the Rules and Regulations of the Cherry Glen Homeowners Association.

1.1.3 **Compliance:** As specified in the CC&R's and enumerated above, compliance with these Rules and Regulations is not voluntary. Unless specified otherwise, the penalty for violation of these Rules and Regulations shall be any or all of the following: i) Suspension of voting rights, ii) Suspension of the right to use common facilities, iii) Monetary fine as designated herein, iv) filing a lien on the homeowners property.

### 1.2 GENERAL INFORMATION

1.2.1	HOA MANAGEMENT COMPANY:	Managers:
	<b>EverStar Realty</b>	<b>Debbie Cooper</b>
	1920 N. Pittsburgh Street, Suite A	
	Kennewick, WA 99336	
	Telephone: (509) 735.4042	
	Fax: (509) 735.4052	email: <a href="mailto:hoa@EverStarRealty.com">hoa@EverStarRealty.com</a>

**1.2.2 BOARD OF DIRECTORS and OFFICERS:**

The HOA is managed by a Board of three (3) Directors each of whom shall be an Owner of a Lot. The terms of the Directors shall be two (2) years. The Officers, which are the Board Members, consist of President, Vice-President, Secretary/Treasurer and are elected annually by the Board. Please contact the Management Company for a current list of Directors and Officers.

**1.2.3 COMMITTEES:**

Committees are established by the Board of Directors to manage ongoing procedures and address specific issues, as needed and depending upon the availability of volunteers. The current standing committee of the Association is:

Covenants Committee /Architectural Review Committee: Appointed annually by the Board of Directors, the Architectural Review Committee (ARC) reviews initial construction or modification to the exterior of the structures and lots as described in Article 6 of the CC & R's. The purpose of this Committee is to assure architectural uniformity within the Cherry Glen.

**1.2.4 COMMUNICATION:**

All communication with the Board of Directors and Officers shall be via written correspondence and mailed, emailed or hand delivered to the HOA Management Office. The communication will be presented to the Association Board of Directors at a scheduled Board meeting. In the event the correspondence is of a sensitive nature, it may be addressed in an Executive Committee Meeting. The Board of Directors will review and reply by telephone or written correspondence. In the event of a property emergency, the HOA Management should be contacted immediately.

**1.2.5 BOARD MEETINGS**

The Board of Directors for any purpose may call a special meeting as they deem necessary.

**1.2.6 ANNUAL MEETING**

The Annual Meeting of the HOA is held at 7:00 p.m. on the second (2<sup>nd</sup>) Thursday in September, pursuant to Article 3 of the ByLaws. This is a voting meeting and attendance is encouraged. In addition voting for Directors, the management and operations are reviewed from the previous year and the goals for the next year are presented. If you are unable to attend, it is very important for you to sign and return the Proxy that is distributed with the meeting announcement. Only HOA members who are in good standing and current in all obligations will be able to vote.

**1.2.7 ANNUAL BUDGET**

The annual budget is based on past history of expenses, current inflation factor, projected increase in expenses and projected capital improvements (reserve expenses). The Board approved budget will be provided to each owner. A copy of the approved budget may be obtained from the HOA Management by written request.

**1.2.8 HOA ASSESSMENTS**

The HOA assessments are established annually by the Board of Directors and are due quarterly from each property owner. Assessments are billed January 1, April 1, July 1 and October 1. Assessments are due within 15 days of billing otherwise late fees and interest will accrue.

**1.2.9 RESERVE STUDY/REPLACEMENT FUND**

Maintaining the association's property is among the Board's and HOA Manager's highest responsibilities. The reserve study is the plan by which the association prepares for inevitable future expenses in maintaining the common area facilities. As guided by the Reserve Study, the replacement fund is established to offset the cost of large expenditures without the need for a special assessment. A portion of the monthly dues may be allocated to the replacement fund.

## II. RULES AND REGULATIONS

The Rules and Regulations contained in this handbook are based on local city ordinances, the Declaration of Covenants, Conditions and Restriction (CC&R's), Articles of Incorporation and Bylaws, and have been adopted by the Board of Directors as the Rules and Regulations for the Plat of Cherry Glen. These Rules and Regulations do not replace the above mentioned documents but serve only to clarify them. These Rules and Regulations were adopted to further assist with the mandate of the Declaration for "enhancing and protecting the value, desirability and attractiveness" of the Cherry Glen. **Compliance with these Rules and Regulations is not voluntary.** Compliance includes not only property owners but also Residents and guests. Failure to comply may result in penalties, which could be monetary and/or loss of use of amenities. If you own rental property within Cherry Glen, you are encouraged to make copies available to your Property Manager and/or Residents.

- The Plat of Cherry Glen shall be occupied and used for "Residential" purposes only. Commercial and non-residential uses are not permitted.
- No changes to ANY of the common areas are permitted. Examples include, but not limited to, plantings, trees or shrubs or tampering with utilities.

### 2.1 FINE POLICY

For violations of the CC&R's, Bylaws and Rules and Regulations of the Cherry Glen Homeowners Association the following has been adopted:

- A first notice of violation will be sent to the property owner informing the owner of the violation and giving a time period for correction.
- If the violation is not corrected a second letter of violation will be sent to the property owner reintegrating the violation with a \$25 fine assessed and giving a period of time for correction.
- If the violation is not corrected a third letter of violation will be sent to the property owner reintegrating the violation with a \$100 fine assessed and giving a period of time for correction.
- All subsequent fines will be \$100
- When an accrued fine exceeds \$500 (or at the Board of Directors discretion) the homeowner will be notified that a lien will be filed against the property. All preparation and filing fees will be the responsibility of the property owner.
- **Repeat violations will go directly to a second letter of violation.**

### 2.2 COLLECTION POLICY

If any part of any assessment or fine is not paid and received by the Association or its designated agent within fifteen (15) days after the due date (first day of each quarter, January

1, April 1, July 1 and October 1) an automatic late charge equal to ten percent (10%) of the assessment and/or fine (but not less than \$10.00) shall be added to and collected with the assessment and/or fine.

If any part of any assessment and/or fine is not paid and received by the Association or its designated agent within thirty (30) days after the due date, the total unpaid Assessment (including the late charge) shall thereafter bear interest at the rate of twelve percent (12%) per annum until paid.

When accrued assessments exceed \$500 (or at the Board of Directors discretion) the homeowner will be notified that a lien will be filed against the property. All preparation and filing fees will be the responsibility of the property owner.

### **2.3 PARKING AND USE OF ROADWAYS ON THE PROPERTY (CCR 4.10, 4.11, 4.12)**

The maximum speed limit throughout the Plat of Cherry Glen 15 miles per hour.

- Pedestrians and bicycles have the right of way while standing, proceeding, or crossing streets within the property.
- Parking is allowed on areas paved by asphalt or concrete only. Parking shall only be in garages or driveways and no portion of the vehicle may overhang onto the street, sidewalks or pathways.
- All vehicles parked outside of the garage must have current registration (tabs) clearly posted.
- Non-commercial passenger vehicles under 10,000 lbs such as cars, trucks, SUV's and motorcycles licensed to be driven/ridden on public streets may park in public view as allowed herein.
- Campers, boats, boat trailers, utility trailers, recreational vehicles, watercraft, commercial vehicles or other types of non-passenger vehicles, equipment, implements or accessories may be stored or kept within an enclosed garage or on the side of the Unit, provided that it is fully screened from view by fencing or other ARC approved screening.
- Campers, boats, boat trailers, utility trailers, recreational vehicles, watercraft, commercial vehicles or other types of non-passenger vehicles, equipment, implements or accessories may be temporarily kept on the public streets within the Property or on a paved driveway located on a Lot for a period not to exceed forty-eight (48) hours and only for the purposes of cleaning, preparation for use and unloading.
- Vehicles that are not currently licensed or in a state of disrepair may not be parked on any Lot exceeding forty-eight (48) hours. Should the Owner fail to remove such vehicle

within five (5) days following the date on which the notice is mailed by the HOA, the HOA may have the vehicle removed from the Property at the expense of the Owner.

- All oil or grease on roadways and/or driveways shall be cleaned up immediately by the Owner.
- Any maintenance or repair of vehicles must take place entirely within the enclosed garage of an Owner.

## **2.4 PETS (CCR 4.7)**

Pet owners are responsible for the maintenance and control of their pets. The HOA will allow a reasonable number of domestic household pets.

- ALL DOGS MUST BE ON LEASHES OR SIMILARLY RESTRAINED WHENEVER OUTDOORS AND ON THE LOT. ALL DOGS MUST BE KEPT OFF THE PROPERTY OF OTHER HOMEOWNERS.
- It is the pet owner's obligation to dispose of waste materials from pets. Failure to pick up after the animals may result in corrective action and fines.
- EXCESSIVE AND CONSISTENT BARKING WILL BE CONSIDERED A NUISANCE. Pet owner will be notified by Association Management of any complaints.
- Pets will be considered a nuisance when any act or acts of the animal or its owner annoys or disturbs the rights and privileges of the other homeowners.
- Pet owners will be responsible for any personal or property damage caused by their pet, including allowing pet to urinate on other homeowners property.

## **2.5 SATELLITE DISHES AND ANTENNAE (RADIO & TV) (CCR 4.21)**

- Satellite dishes should not exceed thirty-nine (39) inches in diameter unless approved otherwise by the ARC committee.
- Location of the dish has been approved by the ARC committee in advance and will be placed in a location in which the dish is best suitable for aesthetics and signal.
- No Property Owner or Resident may be permitted to construct, use, or operate his own external radio or other electronic antenna.

## **2.6 TRASH AND GARBAGE DISPOSAL (CCR 4.18)**

Garbage containers shall be screened and not visible from the street or a neighboring home and shall not be allowed to emit odors or attract insects or rodents. All garbage containers shall be moved out of site within 12 hours of collection.

## **2.7 FENCES (CCR 4.15)**

The ARC must pre-approve all fences.

- Fences shall not exceed six (6) feet in height.
- No side yard fencing may extend closer to the front of the yard than the leading edge of the home.
- All fences shall be cedar, dog ear and are required to be stained with natural cedar stain.
- All fencing shall be installed with Good Neighbor design with solid board finished side facing away from home on the street side of the home.

## **2.8 LANDSCAPING (CCR 4.5 & 4.14)**

All landscaping shall be maintained by Owners in a good condition, including watering, weeding, pruning, fertilization, mowing and other forms of maintenance. All yard rakings, dirt and other material resulting from landscaping work shall be removed promptly. All landscaping changes must be approved by the ARC. Trees approved for the front landscaping are the flowering pear and plumb trees (non fruit bearing). Evergreen trees and shrubs, including arborvitae are not approved plants within the Cherry Glen.

## **2.9 MISCELLANEOUS**

- Window air conditioning or heating units are not allowed.
- Clothes hanging devices shall be screened from public view by a fence.
- Aluminum foil, reflective film, newspapers, cardboard are not allowed on windows or glass doors.
- Holiday lighting is allowed thirty (30) days prior to the celebrated holiday and to be removed thirty (30) days after the celebrated holiday.

## **2.10 BUILDING OR LOT CHANGES. RECONSTRUCTION OR NEW CONSTRUCTION**

**\*Mandatory approval is required before any changes can be made to any structure or lot.\***

No improvement shall be commenced, erected, placed or altered on any Lot until the construction plans and specifications showing the nature, shape, heights, materials, colors, and proposed location of the improvement have been submitted to and approved in writing by the ARC. This includes, but not limited to, the following property improvements:

- Fence installations
- Landscaping changes, concrete curb installations
- Exterior repainting
- Secondary structures, such as storage sheds, dog kennels, gazebos



**APPLICATION FOR EXTERIOR CHANGES**

Date: \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City, State Zip \_\_\_\_\_

Phone # \_\_\_\_\_

Secondary # \_\_\_\_\_

Email Address \_\_\_\_\_

Description of Proposed Changes (Please provide separate sheet for extensive changes):

NOTE: Please attach all applicable site plans / drawings with this request. Incomplete applications will delay the approval process or potentially result in the denial of your request.

## *Cherry Glen Homeowners Association*

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Date of Receipt \_\_\_\_\_

Date of Decision \_\_\_\_\_

Approval \_\_\_\_\_ Approved with Modifications \_\_\_\_\_ Disapproval \_\_\_\_\_

Remarks:

Follow-up inspection by: \_\_\_\_\_ Date: \_\_\_\_\_

Please submit to:

Cherry Glen Homeowners Association  
C/O EverStar Realty, Attn: Debbie Cooper  
1920 Pittsburgh, Suite A  
Kennewick, WA  
Telephone: (509)735.4042  
Email: [hoa@EverStarRealty.com](mailto:hoa@EverStarRealty.com)

Following are a list of most commonly requested approvals. PLEASE refer to the CC&R's for a complete list.

- All landscaping installations or changes must be approved by the ARC. This includes plantings of trees & shrubs and concrete curbing.
- All fence installations or changes must be approved by the ARC. The fences must be constructed with cedar and stained with natural cedar stain. They must be "good neighbor" design. On street sides and open space the solid board finished side shall face away from the home.
- All satellite dishes and antennae must be approved by the ARC.
- All detached buildings must be approved by the ARC. This includes storage buildings, greenhouse, children's playhouses and dog kennels.