



**BOONE'S TRACE PROPERTY OWNERS' ASSOCIATION, INC.**

**RESOLUTION FOR PROPERTY MAINTENANCE FOR RESIDENTIAL LOTS, VACANT LOTS, AND ACERAGE STANDARDS**

Whereas, the Governing Documents of the Boone's Trace Property Owners' Association, Inc. (BTPOA) include:

- *The FIFTH AMENDMENT and RESTATEMENT of COVENANTS, CONDITIONS and RESTRICTIONS for BOONE'S TRACE DEVELOPMENT, of record with the Madison County Clerk's Office in Book MC297 Page 452 (Hereinafter, Covenants),*
- *The Bylaws as Amended November 10, 2015 of the Boone's Trace Property Owner's Association, Inc. (Hereinafter By-Laws),*
- *The Articles of Incorporation of Boone's Trace Property Owners' Association, Inc. (Hereinafter, Articles of Incorporation), and*
- *KRS Chapter 273 Nonprofit Organizations (more commonly referred to as the Kentucky Nonprofit Corporation Act (Hereinafter, Statutes);*

WHEREAS, ARTICLE I Definitions Section 5 of the Covenants says "Lot" shall mean a portion of the Properties, whether developed or undeveloped, and depicted and described on a recorded Plat, and intended for a single-family residence, including any structure thereon, or if not yet platted, then it shall be assumed that there is one "Lot" for each acre in the part of the Properties not yet platted.

WHEREAS, ARTICLE IV Section 6 provides, in pertinent part, that: "[e]ach Lot owner shall keep his or her Lot mowed and clear of weeds and debris, or if the Lot Owner fails to do so, the Association shall have the right to mow and maintain the Lot and to charge the cost of such maintenance to the Lot Owner, which shall be levied and considered as a Special Assessment against that involved Owner(s)."

WHEREAS, ARTICLE V Association Section 2 Duties provides that the "Association shall in all reasonable ways act to promote the health, safety and welfare of the Owners...;"

WHEREAS, The Board of Directors of the Boone's Trace Property Owners Association, Inc. adopted Vacant Lot Standards in May 2007 that were appropriate given the degree of development that existed at that time;



WHEREAS, The Board of Directors of the Boone's Trace Property Owners Association, Inc. concludes that the more advanced degree of development within the Boone's Trace Community require a modification of the Vacant Lot Standards;

NOW THEREFORE BE IT RESOLVED that the Board of Directors hereby adopts the following Vacant Lot Standard that applies to all vacant lots within the Boone's Trace community, where platted lots or platted acreage.

1. Residential lot owners must keep their grass less than 8 inches. Residential lots are defined as lots with residences (which includes lots that have been consolidated). Any residential lots that are forced mowed by the BTPOA will be charged the cost of the mow plus \$75.00 administration fee as a Special Assessment against the Lot Owner(s).
2. Lot Owners must mow and string trim around any obstacles on their platted vacant lots a minimum of five (5) times each season, on or before each of the following dates:

a. May 1<sup>st</sup>

c. July 1<sup>st</sup>

e. September 1<sup>st</sup>

b. June 1<sup>st</sup>

d. August 1<sup>st</sup>

Lot Owners of platted acreage may need to mow and string trim more frequently than the minimum frequency stated above if the growth on a vacant lot exceeds 18 inches the BTPOA will force mow and string trim the lot and charge the homeowners account for the cost of the mow plus \$75.00 administration fee as a Special Assessment against the Lot/Land Owner(s).

3. **Owners of platted acreage that has not been divided into lots should mow according to guidelines set forth in this document, but at least twice a year.**
  - a. June 30<sup>th</sup>
  - b. August 30<sup>th</sup>

Lot Owners of platted acreage that has not been divided into lots may need to mow more frequently than the minimum frequency stated above if local weather or other conditions produce abnormally high vegetative growth rates outside of these minimum mowing intervals.

4. In addition to the minimum mowing frequencies for the platted lots and the platted acreage provided in sections 1, 2 and 3. Above, when the vacant platted lot or platted acreage fronts an existing street or road within Boone's Trace, The Owner of the Lot and/or acreage shall mow and string trim the frontage strip, 14 feet wide

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C/o CRM Companies  
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measured from the front face of the curb or edge of road sufficiently to maintain this road frontage grass at a maximum height of 18 inches.

5. Owners of any platted vacant lot or unplatted acreage must keep their lots and acreage free of construction and other debris, trash, downed tree limbs, boulders, etc. and is a condition that allows the mowing of the property with conventional mowing equipment.
6. **If the Owner of any platted vacant lot or platted acreage does not mow and string trim the property on the minimum specified frequency or height requirement , the Association will hire a contractor to mow and string trim any such acreage, with the cost of the mowing and trimming plus \$75.00 administration fee charged to the lot owner and billed within 10 days of payment notice from contractor.**
7. If the Association hired mowing contractor experiences equipment damage due to a lot owner’s failure to keep the lot free of construction and other debris, trash, downed tree limbs, boulders, etc. sufficiently to allow the mowing of the property to occur with conventional mowing equipment, the contractor will invoice the Association the cost of that equipment repair, and the Association will assess the cost of the repair to the lot owner.
8. Each February, the Association shall notify each owner of platted vacant lots or unplatted acreage in writing about this vacant lot standards and the lot owners’ responsibility to comply.
9. In addition to the above mentioned requirements, Lot Owners must ensure that all Utilities located on vacant lot/lots must also be maintained and string trimmed for access by the Utility Companies. This cost will be combined with the cost of required Forced Mowing, per lot.
10. This policy applies to all lots and platted acreage.

Signed: \_\_\_\_\_

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

President

Recorded in the Minutes of the Association this 14<sup>th</sup> day of January, 2019.

Attested: \_\_\_\_\_

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

Secretary

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