

The Willows at Upriver Homeowners Association

Important Dates

- *October 3, 2007 - Filed Bylaws and Articles of Incorporation with the Secretary of State.*
- *October 22, 2007 - Avigation Easement filed*
- *December 31, 2007 - Original Declaration of Articles and Covenants*
- *July 24, 2008 - First Amendment to Declaration of Articles and Covenants for The Willows at Upriver Phase 2*
- *April 9, 2008 – Maintenance Plan for Drainage Control System and Sinking Fund for Annual Costs*
- *August 19, 2008 – Dedication (responsibilities for care of drainage and future RID) Auditor's File #5700886*
- *April 8, 2010 - Developer turns the responsibility over to the Homeowners and the first Board is formed.*

The Cliff's Notes Version of the Articles and Covenants

(Note: Every home owner receives a full copy of the Articles and Covenants at closing. These documents should be part of the disclosures from the Title Company and the Title Search.)

Common Areas:

- Each lot owner is considered a Tenant in Common as related to the Common areas. The Association is perpetually responsible for maintenance, repair, and replacement of the common areas. Common Areas are described as:
 - Sidewalks- repair, replace
 - Street Lights- repair, paint, replace
 - Private storm water drainage system – keep open and clean storm water pipes, structures, ditches, ponds, swales, keep free of sediments, maintain/replace grasses, replace broken pipes, yearly inspection,
 - Common landscaped areas in Tract A and Tract B

Rules

- No dumping of solvents, oil, concrete, concrete residue, or water with sediments is allowed anywhere in the community

- Homes may be used for residential use and professional home business offices. Businesses must be compliant with all applicable laws and ordinances, and must not involve excessive customer traffic or bulk shipping and receiving
- Landscaping vegetation, trees are to be maintained to enhance the appearance and value of the Lots in the Subdivision
- Must prevent the spread of noxious weeds
- No offensive or illegal activity
- No unreasonable sources of annoyance or nuisance
- Exterior lighting shall not shine into windows of other owners
- Each owner is responsible for fencing located on the boundaries of the community and their own lot
- No cyclone fencing
- No fencing can extend forward of the front building of the dwelling on the lot
- Vehicles shall be operated in safe and sensible manner. Board may adopt restrictions on vehicle speed
- No vehicle parking allowed in the courts
- Vehicles may not block the fire lanes for the private lanes located on Heroy
- All utilities must be located underground

Paying for Common Expenses (Assessments)

- Board shall develop a budget for common expenses
- Board shall determine the amount needed for reserves for future expenses and include that in the budget
- Board may levy special assessments for unexpected costs or when budget is not sufficient
- Every owner is personally liable for common expenses
- Board may charge late fees
- Board may purchase liability insurance for board members which shall be paid by the association as a common expense
- Unpaid assessments become a lien against the property