



WINDER'S POND HOMES ASSOCIATION
P.O. Box 721, Yorktown, VA 23692

Additional Documents

- * Architectural Control Committee Guidelines
- * Digital Satellite Dish Requirement
- * Yearly Audit Method
- * Common Area Policy
- * Guidelines for Siding and Other Exterior Improvements
- * Reserve Fund Usage
- * Domestic Ducks and Geese Moratorium
- * Numerical Composition of the Board of Directors

ACC Guidelines

The Amendment To Declaration of Covenants and Restrictions (Recorded in Book 422) Article V. Architectural Control. (f) requires all homeowners to send a written request with an attached plan to the president of the association for all improvements to their lot.

"The improvements shall conform to the existing architecture and be constructed of similar materials and approvals of such improvements shall be in the sole discretion of the architectural committee."

"All actions of the architectural committee shall be by majority vote."

im·prove·ment noun

1. a. The act or process of improving. b. The state of being improved.
2. A change or an addition that improves.¹

Any "improvement" that is not an exact replacement requires a written request with an attached plan sent to the committee in care of the president of the association.

Examples of "exact": (1) your house was white and you want to paint it blue or green; is not an exact replacement and is subject to approval, (2) your driveway is aggregate and you want to pave it; is not an exact replacement and is subject to approval, (3) your deck is wood and you want to replace the existing surface, making no modifications, with wood or composite products that look exactly like wood; is an exact replacement and is not subject to approval.

Vinyl siding and other exterior replacements require approval following the published guidelines approved by the Board of Directors on October 3, 1995.

The committee has 30 days from receiving a request with an attached plan to approve or disapprove. It is suggested any contract signed before the 30 days has passed include a release clause in the event of committee disapproval.

Work shall not commence before receiving approval or the end of the 30 day approval process.

Work should commence within 1 year of approval and be completed in a timely manner.

If the work has not started within 1 year the plan needs to be re-submitted for approval update.

Any change in project plans requires additional approval, including but not limited to a change in: materials, brand of materials, approved colors, etc.

Any subsequent plan submitted after disapproval is subject to the 30 day approval process.

The committee chair will respond in writing regarding the action of the committee, and send a copy to the president of the Board of Directors.

The committee will meet on the second Tuesday of every month at 7:00 p.m. if there are plans to review. A timely submittal of plans will insure a quicker approval.

The committee may at it's discretion (1) change the meeting day and notify the Board of Directors of such a change, (2) hold additional meetings without notice to the board of directors.

Any committee member not attending three consecutive meetings may be replaced by the Board of Directors.

The Declaration of Covenants and Restrictions Article VI General Provisions. Section 1. Enforcement.

"The association, or any individual, *shall have the right to enforce, by any proceeding at law or in equity*, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration."

Homeowners not in compliance will be reported to the Board of Directors in writing. The Board of directors will notify the homeowner in writing after which they will have 30 days to correct the infraction.

¹The American Heritage® Dictionary of the English Language, Third Edition copyright © 1992 by Houghton Mifflin Company. Electronic version licensed from INSO Corporation. All rights reserved.

WPHH:
JUL 06 1997



WINDERS POND HOMES ASSOCIATION

P.O. BOX 721 YORKTOWN, VIRGINIA 23692
ANNUAL MEETING

Feb. 6, 1997

IV. OLD BUSINESS:

A. Digital Satellite Systems: Chris Hartman (speaking for the ACC): no requests were received. But the perceived interpretation of the CC&R would be the same as last year. Since this technology did not exist when the CC&R was written it could not have meant DSS systems. If a request came in we would have to address the issue, but we could also try to do it in advance by putting the subject up for discussion and asking what you think about it.

6. K.King motioned that homeowners considering the purchase of a Digital Satellite System for installation within the boundaries if Winders Pond Homes Association, submit for approval the placement of such to the President for review by the ACC. Seconded: C.Hartman ++. Discussion: Chris Hartman: so that would mean that we are considering that the dishes themselves are OK because they are smaller, but the fact that the placement may be a eyesore—that is the issue now. Motion approved: 16/0

WPH
JUL 06 2001

WINDERS POND HOMES ASSOCIATION

By-Laws

Revision

ARTICLE VIII, Section 8.(d) Treasurer

The treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors; shall sign all checks and promissory notes of the Association; keep proper books of account; cause an annual audit of the Association books to be made by a public accountant OR AN ASSOCIATION COMMITTEE OF THREE (3) NON-BOARD MEMBERS at the completion of each fiscal year; and shall prepare an annual budget and a statement of income and expenditures to be presented to the membership at its regular annual meeting, and deliver a copy to each of the members.

Change to Audit Requirement:

"by a public accountant OR AN ASSOCIATION COMMITTEE OF THREE (3) NON-BOARD MEMBERS" at the completion of each fiscal year;

Explanation: Audits done by public accountants are expensive particularly in terms of the simplicity of the WPHA accounts (approximately 60-70 transactions per year). Audit can be easily performed by a committee selected from members who have previously served as Treasurer, for example, or other individuals with a basic understanding of accounting procedures. If for some reason it may not be possible to form a budget review committee from within the membership, the rule still provides for the services of a "public accountant".

Note: Revised at the Annual Membership Meeting held on Feb. 6, 1997

WPHH

JUL 06 2004



WINDERS POND HOMES ASSOCIATION

P.O. BOX 721 YORKTOWN, VIRGINIA 23692

THE FOLLOWING ARE EXCERPTS FROM:

Minutes of Winder's Pond Homeowners
Association Annual Meeting
February 10, 1989

Attendance: 36 lots were personally represented, 11 lots were represented by proxies, making a total of 47 lots represented.

5. New Business.

A. Numerical composition of Board. M. Hembrough stated that in Feb. of 1988, the number of Board members was raised from 5 to 7, by written petition of all lot owners. Bylaws state that changing composition of Board must be done by special meeting. Reasons for increasing Board were to provide increased lot representation (7 members = 10% of lot owners) and permit each Committee to have a Board member liaison. Ken Gross made MOTION to increase Board members from 5 to 7, requiring Board members to be members of Winders Pond Homeowners Association. Once Board is in place, President and Vice-President will be elected annually from among Board members. Motion passed unanimously.

WPA
JUL 06 2004



WINDERS POND HOMES ASSOCIATION

P.O. BOX 721 YORKTOWN, VIRGINIA 23692

May 20, 1996

Dear Winders Pond Resident,

The Winders Pond Homes Association Board of Directors is very concerned with the safety issues surrounding the trespassing on our common and private property. There has been an increasing number of persons setting foot on Winders Pond common areas whom the board believes are trespassers. Unauthorized persons are using Winders Pond common areas to fish, swim, boat, and walk/swim their animals. The Association may be liable for these persons in the event of an accident and/or injury. It is possible that we could be sued for more than our insurance amount covers if reasonable prohibitions are not in place; the cost of which we would all share.

Therefore, the board has adopted the following policy:

1. Only Winders Pond homeowner families and their guests may use the common areas for recreation.
2. If the homeowner has invited guests to use our common area facilities (fishing, swimming, boating, games, etc.), the homeowner will be responsible for the actions of said guests. An open invitation to use our facilities at the discretion of the guest(s) is not considered reasonable.
3. Authorized guests will be advised by the appropriate homeowner to park in the host's driveway while using the common areas. Exception to this parking policy is made for Winders Pond Homes Association sponsored events that involve large numbers of persons and vehicles. Parking on the common area is prohibited. It was suggested that guests who may not be able to park at their host's home should clearly display between the windshield and dash of their car the address of their host.
4. Authorized guests who have been invited to swim, fish, boat, bike, or use Winders Pond common area in any manner must be accompanied or observed by their host the entire time.
5. As stated in the Covenants, Conditions and Restrictions of the Association, motorized (electric or gas) vehicles of any kind, including but not limited to boats, rafts, bikes, ATV's, and go-carts, are prohibited from operating on Winders Pond or on the common area trails. The only exception is for maintenance equipment.

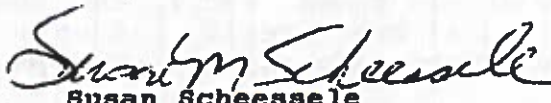
6. The entire Winders Pond area is private property. The property of the majority of homes in Winders Pond abuts on the pond itself. The property line for these homes extends to the water line. The easement in our agreement is for pond maintenance only and does not usurp the homeowners privileges and responsibilities within the easement.

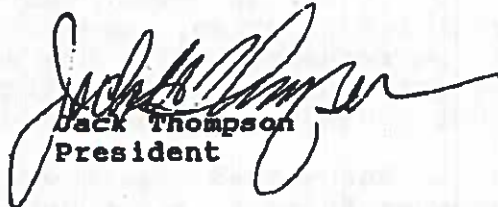
The board seeks your cooperation and support in enforcing the policy as stated above. You are authorized and requested to challenge those persons who are not authorized guests of Winders Pond by:

- a. questioning the person's authority for being on our property OR
- b. immediately advising a Board member OR
- c. calling the York County Sheriff's Office

No Trespassing signs are posted throughout Winders Pond. Please assure that each member of your family is familiar with this policy. If you have comments or suggestions, please contact a Board Member.

Original policy dated July 13, 1994 and revised in accordance with board meeting May 7, 1996.


Susan Scheessele
Secretary


Jack Thompson
President



WINDERS POND HOMES ASSOCIATION

P.O. BOX 721 YORKTOWN, VIRGINIA 23692

GUIDELINES FOR SIDING AND OTHER EXTERIOR REPLACEMENTS

The Architectural Committee has been charged with developing guidelines for homeowners who wish to install vinyl siding or make other exterior changes to their homes. The committee will follow these guidelines when making decisions to approve or disapprove individual requests. The guidelines are as follows:

FOR VINYL SIDING

1. A formal request will be made to the Architectural Committee via the president of the Homeowners' Association Board of Directors.
2. A sample of the siding proposed for use (including the proposed color) will be provided for the committee to examine.
3. A copy of the homeowner's contract with the siding installer will be provided for the committee to examine.
4. The contract will specify the following:
 - a. Only quality vinyl siding such as Wolverine, Alcoa, or equivalent will be approved.
 - b. Siding thickness will be not less than .044 inch.
 - c. The siding will be nailed to studs every 16 inches.
 - d. The installer will use at least 2 inch galvanized nails.
 - e. Tyvek, foam core, or equivalent insulation will be used if the existing siding is removed.
 - f. Foam core or equivalent insulation will be used if the existing siding is left on the house.
 - g. The installer will use silicone caulking which is either clear or colored to match the siding.
 - h. Aluminum siding will not be approved for use in place of vinyl. However, aluminum drip-pans will be installed above all windows and doors. Also, if trim and fascia boards are to be covered, the installer will use aluminum rather than vinyl. All installed aluminum will be PVC-coated and at least .019 inches thick.
 - i. The installer will be licensed by the state as at least a Class B contractor, and will provide his own workman's compensation and liability coverage.
 - j. The installer will provide a warranty on labor of at least five (5) years. The warranty should be

transferrable if the owner moves during the warranty period.

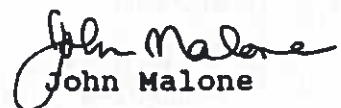
5. In order to ensure compliance with the provision of the Winder's Pond Covenants, Conditions, and Restrictions requiring the use of "similar materials", homes may not be sided partially with wood and partially with vinyl. Homeowners who elect to install vinyl siding must cover the entire house (that portion which was previously wood sided) with vinyl. Vinyl sided home additions must be accompanied by a concurrent re-siding of the rest of the house. Any outbuildings must also be covered with vinyl siding.

FOR OTHER EXTERIOR REPLACEMENTS

1. External home components such as doors, garage doors, shutters, gutters, or the like may be constructed of metal materials. Other components such as replacement windows may be covered with vinyl materials. As with any other improvement, individual plans for replacements of this nature should be submitted to the president of the Board of Directors for Architectural Committee approval.


Dennis Bartlett


Chris Hartman


John Malone


Barry Moss


Barmac Taleghani

Approved: October 3, 1995 Board meeting

WP+H
JUL 06 2004



WINDERS POND HOMES ASSOCIATION

P.O. BOX 721 YORKTOWN, VIRGINIA 23692

ANNUAL MEETING

DATE: Feb 4, 1993

PLACE: St. Luke's, Ella Taylor Road

TIME: 7:30 pm.

ELECTED BOARD MEMBERS:

Pam Legere	890-2629	President
Judy Herrin	898-5228	Vice President
Kevin King	898-5484	Building and Grounds Liaison
Ellen White	898-3539	Environmental Liaison
Martha Wendell	898-1578	Social Liaison
Irving Abel	890-0650	Architectural Liaison
John Havrilla	890-2574	Neighborhood Watch Liaison

APPOINTED POSITIONS:

Lynn DiVito, Treasurer
Susan Scheessele, Secretary

ATTENDANCE: 24 lots were personally represented, 14 lots were represented by proxy, total of 38 lots

D. K. King made a motion to amend the By-Laws that the Reserve Fund usage, including interest, be approved by a majority of the homeowners at a special meeting. Seconded: ?? Discussion: Purpose would be to relieve the board of the pressures of what exactly can we do with it (Pond Reserve Fund) by having it brought before the membership at a special meeting. Approved.

WP-HA
JUL 10 1991

BOARD MEETING OF THE WINDERS POND HOMEOWNERS' ASSOCIATION

DATE: October 2, 1990

PLACE: home of Ellen White

TIME: 7:45 pm.

IX. Formal complaints have been made to the board about the mess made by the domestic ducks and geese. The board, acting within the Covenants, Conditions and Restrictions and/or By Laws, is placing a moratorium on buying and releasing domestic fowl in Winders Pond. Homeowners are to consider this documentation as official notification by the board.