

HERITAGE HARBOUR COMMUNITY ASSOCIATION, INC. LR - HOA Dep Amendment 10.00

POLICY RESOLUTION NO. 8 AMENDMENT 3

HOA Name: heritage harbour comm assn amendment 3 Ref:

RECREATIONAL FACILITIES FEE

Total: 60.00 11/01/2018 01:24 CC02-GC #11214683 CC0501 - Anne

WHEREAS, Article IV, Section 3(b) of the Declaration of Covenants provides that the rights of the members are subject to the right of the Association to "levy reasonable admission and other fees for the use of any Recreational Facility situated upon the Common Areas by the members of the Association and their guest."

WHEREAS, Article V, Section 2(b) of the Bylaws provides that the duties of the Board of Directors include the "establishment and collection of assessments, fees, and/or carrying charges" and the "receipt, recording, use and expenditure of revenues from assessments, fees, carrying charges, contributions, donations, refunds, bequests and from any other sources not specifically enumerated herein."

WHEREAS, on October 11, 2005, the Board of Directors adopted Policy Resolution No. 8 to impose a Recreational Facilities Fee to supplement the Capital Improvements Reserve Fund; and

WHEREAS, the Board of Directors desires to establish further criteria for refunds of the Recreational Facilities Fee.

NOW THEREFORE, BE IT RESOLVED that Policy Resolution No. 8, Article IV, Claims for Refund of the Fee, Section A. adding paragraph 3 is amended to read as follows:

- 3. Owners that purchased a unit in Heritage Harbour and have found they are unable to occupy the unit and have sold the unit. The unit must remain vacant until sold. Copies of the settlement sheets of the purchase and the sale of the unit must accompany the claim.

Deborah Partlow, District 1

Yes No Abstain

Diane Nicholson, District 2

Jonathan Shurtleff, District 3

RECEIVED FOR RECORD CIRCUIT COURT A.A. COUNTY 2018 NOV - 1 P 1:30

Sandra K. Feeley, District 4

Sandra K. Feeley

✓

Gary J. Basinski, District 5

Gary J. Basinski

✓

Joseph L. Strange, District 6

Absent

Jerry L. Pesterfield, District 7

Amendment 3 to Policy Resolution No. 8 was duly approved at a regular meeting of the Board of Directors on April 11, 2018.

Diane Nicholson

Diane Nicholson, Secretary
Heritage Harbour Community Association, Inc.

HERITAGE HARBOUR COMMUNITY ASSOCIATION, INC.

POLICY RESOLUTION NO. 8
AMENDMENT 2

LIBER 41 PAGE 123

RECREATIONAL FACILITIES FEE

WHEREAS, Article IV, Section 3(b) of the Declaration of Covenants provides that the rights of the members is subject to the right of the Association to "levy reasonable admission and other fees for the use of any Recreational Facility situated upon the Common Areas by the members of the Association and their guest."

WHEREAS, Article V, Section 2(b) of the Bylaws provides that the duties of the Board of Directors include the "establishment and collection of assessments, fees, and/or carrying charges" and the "receipt, recording, use and expenditure of revenues from assessments, fees, carrying charges, contributions, donations, refunds, bequests and from any other sources not specifically enumerated herein."

WHEREAS, on October 11, 2005, the Board of Directors adopted Policy Resolution No. 8 to impose a Recreational Facilities Fee to supplement the Capital Improvements Reserve Fund; and

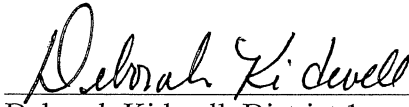
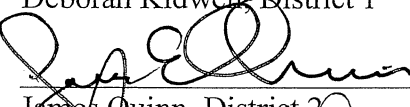
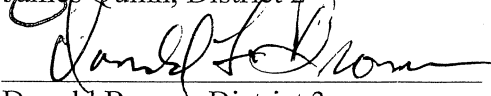
WHEREAS, the Board of Directors desires to establish further criteria for refunds of the Recreational Facilities Fee.

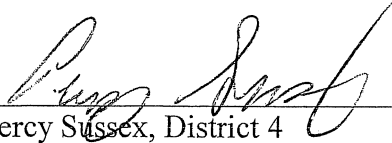
NOW THEREFORE, BE IT RESOLVED that Policy Resolution No. 8, Article IV, Claims for Refund of the Fee, Section A. 1. is amended to read as follows.

1. Owners of a residence in Heritage Harbour on January 1, 2006, or any owners that have paid the Recreational Facility Fee on an initial purchase of a home in Heritage Harbour, who have maintained continuous residency and who have sold that residence and purchased another residence in Heritage Harbour as a primary residence. Copies of settlement sheets for both residences must be provided with the claim.


2012 MAR -5 P 2:41
RECEIVED FOR RECORD
MARCH 05 2012 A.M. 00:00
COMMUNITY


amendment 10.00
Heritage harbour
10.00
#0322720-1
3/5/2012 02:40 CC02-TT
#0322720, CC0501 - Anne
Policy Resolution No. 8 to
Reserve Fund; and

	Yes	No	Abstain
 Deborah Kidwell, District 1	X	_____	_____
 James Quinn, District 2	X	_____	_____
 Donald Brown, District 3	X	_____	_____



Percy Sussex, District 4





Earl Kehr, District 5



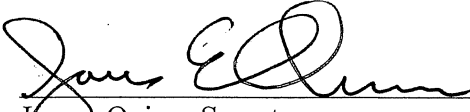
Absent

M. Jackie Miller, District 6

Absent

Terry Laidley, District 7

Amendment 2 to Policy Resolution No. 8 was duly approved at a regular meeting of the Board of Directors on February 8, 2012.



James Quinn, Secretary
Heritage Harbour Community Association, Inc.

HERITAGE HARBOUR COMMUNITY ASSOCIATION, INC.

POLICY RESOLUTION NO. 8
AMENDMENT 2

LIBER 41 PAGE 123

RECREATIONAL FACILITIES FEE

WHEREAS, Article IV, Section 3(b) of the Declaration of Covenants provides that the rights of the members is subject to the right of the Association to "levy reasonable admission and other fees for the use of any Recreational Facility situated upon the Common Areas by the members of the Association and their guest."

WHEREAS, Article V, Section 2(b) of the Bylaws provides that the duties of the Board of Directors include the "establishment and collection of assessments, fees, and/or carrying charges" and the "receipt, recording, use and expenditure of revenues from assessments, fees, carrying charges, contributions, donations, refunds, bequests and from any other sources not specifically enumerated herein."

WHEREAS, on October 11, 2005, the Board of Directors adopted Policy Resolution No. 8 to impose a Recreational Facilities Fee to supplement the Capital Improvements Reserve Fund; and

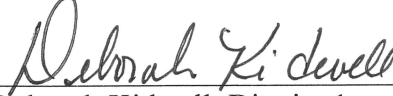
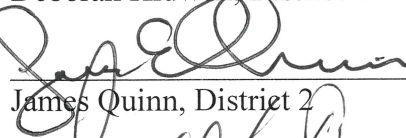
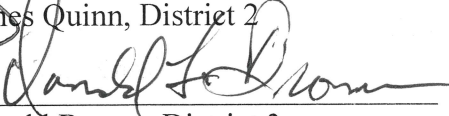
WHEREAS, the Board of Directors desires to establish further criteria for refunds of the Recreational Facilities Fee.

NOW THEREFORE, BE IT RESOLVED that Policy Resolution No. 8, Article IV, Claims for Refund of the Fee, Section A. 1. is amended to read as follows.

1. Owners of a residence in Heritage Harbour on January 1, 2006, or any owners that have paid the Recreational Facility Fee on an initial purchase of a home in Heritage Harbour, who have maintained continuous residency and who have sold that residence and purchased another residence in Heritage Harbour as a primary residence. Copies of settlement sheets for both residences must be provided with the claim.

2012 MAR - 5 P 2:41
RECEIVED FOR RECORD
CLERK COURT, A.A. COUNTY

amendment 10.00
HOA Name: heritage harbour
10.00
#0322720-1
3/5/2012 02:40 CC02-TT
#0322720 CC0501 - Anne
A.A. County/CLERK 01.08 -
Bills Res. FF P

	Yes	No	Abstain
 Deborah Kidwell, District 1	X	_____	_____
 James Quinn, District 2	X	_____	_____
 Donald Brown, District 3	X	_____	_____

Percy Sussex
Percy Sussex, District 4

↓

Earl Kehr
Earl Kehr, District 5

✓

Absent
M. Jackie Miller, District 6

Absent
Terry Laidley, District 7

Amendment 2 to Policy Resolution No. 8 was duly approved at a regular meeting of the Board of Directors on February 8, 2012.

James Quinn
James Quinn, Secretary
Heritage Harbour Community Association, Inc.

HERITAGE HARBOUR COMMUNITY ASSOCIATION, INC.

POLICY RESOLUTION NO. 8
AMENDMENT 1

RECREATIONAL FACILITIES FEE

WHEREAS, Article IV, Section 3(b) of the Declaration of Covenants provides that the rights of the members is subject to the right of the Association to "levy reasonable admission and other fees for the use of any Recreational Facility situated upon the Common Areas by the members of the Association and their guest."

WHEREAS, Article V, Section 2(b) of the Bylaws provides that the duties of the Board of Directors include the "establishment and collection of assessments, fees, and/or carrying charges" and the "receipt, recording, use and expenditure of revenues from assessments, fees, carrying charges, contributions, donations, refunds, bequests and from any other sources not specifically enumerated herein."

WHEREAS, on October 11, 2005, the Board of Directors adopted Policy Resolution No. 8 to impose a Recreational Facilities Fee to supplement the Capital Improvements Reserve Fund; and

WHEREAS, the Board of Directors desires to establish criteria and procedures for refunds of the Recreational Facilities Fee.

NOW THEREFORE, BE IT RESOLVED that Policy Resolution No. 8 is amended and restated to read as follows.

I. GENERAL

- A. There is hereby imposed a two thousand dollar (\$2,000) Recreational Facilities Fee (the Fee) upon the purchaser of a residence in Heritage Harbour.
- B. The revenue from the Fee shall only be deposited in the Capital Improvements Reserve Fund for use in creating new or improving existing recreational facilities.

II. RESPONSIBILITIES

The Management Agent has the following responsibilities.

- A. The deposit of the Fees collected in the Capital Improvement Reserve Fund.
- B. Determining whether the Fee has been paid before issuing a Membership Card to residents.

RECORDING FEE	15.00
TOTAL	15.00
APR 25, 2008	
RPD JES	
RCPT # 10445	
DLK # 3074	
08:40 am	

RECEIVED FOR RECORD
 CIRCUIT COURT FOR A.A. COUNTY
 2008 APR 25 A 9:19
 08 APR 24 PM 9:28
 FILED

C. Maintaining records necessary for the administration of this Resolution.

III. APPLICABILITY

A. The Fee shall be paid by the purchaser at settlement on all transfers of ownership, as of January 1, 2006, except that the initial purchase of condominium units that are included in the agreement dated April 25, 2005, between the Heritage Harbour Community Association, Inc. and South River Associates, LLC are exempt from the payment of the Fee.

B. New residents of Heritage Harbour shall not be issued Association Membership Cards or permitted to use of any of the Association's recreational facilities unless they have registered at the office at the Lodge and have provided evidence of payment of the Fee.

IV. CLAIMS FOR REFUND OF THE FEE

A. The Board of Directors (the Board) may authorize the refund of the Fee if paid by persons meeting the criteria below. Persons who meet any of these criteria may submit a claim accompanied by the required documentation for consideration.

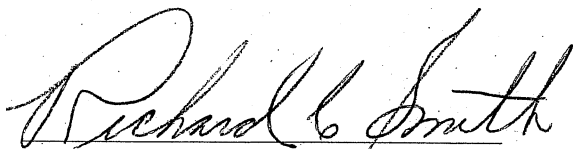
1. Owners of a residence in Heritage Harbour prior to January 1, 2006, who have sold that residence and purchased another residence in Heritage Harbour as a primary residence. Copies of settlement sheets for both residences must be provided with the claim.

2. Persons who have acquired the residence in Heritage Harbour by inheritance. Copies of documents showing that the person is an inheritor, the transfer of ownership, and payment of the Fee must be provided with the claim.

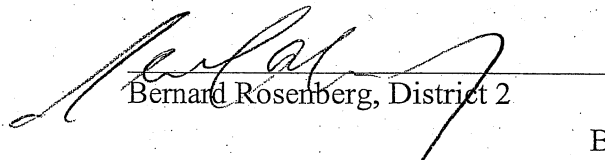
B. Claims for refund of the Fee must be in writing, addressed to the President of the Association and delivered to the office at the Lodge or mailed to:

Heritage Harbour Community Association, Inc.
959 River Strand Loop
Annapolis, MD 21401

By submitting an application by mail the applicant assumes all responsibility for the use of the U.S. Postal Service.


Richard Smith, District 1

Yes No Abstain


Bernard Rosenberg, District 2

Absent

James Thornton, District 3

Donald Tyson

Donald Tyson, District 4

Raymond Garvey

Raymond Garvey, District 5

Patricia Garrahy

Patricia Garrahy, District 6

Anthony Alessandrini

Anthony Alessandrini, District 7

_____	_____	_____
✓	_____	_____
✓	_____	_____
✓	_____	_____
✓	_____	_____

Amendment 1 to Policy Resolution No. 8 was duly approved at a regular meeting of the Board of Directors on April 9, 2008.

Patricia Garrahy

Patricia Garrahy, Secretary

Heritage Harbour Community Association, Inc.

HERITAGE HARBOUR COMMUNITY ASSOCIATION, INC.

POLICY RESOLUTION NO. 8
AMENDMENT 1

RECREATIONAL FACILITIES FEE

WHEREAS, Article IV, Section 3(b) of the Declaration of Covenants provides that the rights of the members is subject to the right of the Association to "levy reasonable admission and other fees for the use of any Recreational Facility situated upon the Common Areas by the members of the Association and their guest."

WHEREAS, Article V, Section 2(b) of the Bylaws provides that the duties of the Board of Directors include the "establishment and collection of assessments, fees, and/or carrying charges" and the "receipt, recording, use and expenditure of revenues from assessments, fees, carrying charges, contributions, donations, refunds, bequests and from any other sources not specifically enumerated herein."

WHEREAS, on October 11, 2005, the Board of Directors adopted Policy Resolution No. 8 to impose a Recreational Facilities Fee to supplement the Capital Improvements Reserve Fund; and

WHEREAS, the Board of Directors desires to establish criteria and procedures for refunds of the Recreational Facilities Fee.

NOW THEREFORE, BE IT RESOLVED that Policy Resolution No. 8 is amended and restated to read as follows.

I. GENERAL

- A. There is hereby imposed a two thousand dollar (\$2,000) Recreational Facilities Fee (the Fee) upon the purchaser of a residence in Heritage Harbour.
- B. The revenue from the Fee shall only be deposited in the Capital Improvements Reserve Fund for use in creating new or improving existing recreational facilities.

II. RESPONSIBILITIES

The Management Agent has the following responsibilities.

- A. The deposit of the Fees collected in the Capital Improvement Reserve Fund.
- B. Determining whether the Fee has been paid before issuing a Membership Card to residents.

2008 APR 25 A 9:19

RECEIVED FOR RECORD
CIRCUIT COURT FOR A.A. COUNTY

08 APR 24 AM 9:28

FILED

RECORDING FEE	15.00
TOTAL	15.00
RPD JES	Rcpt # 18445
Apr 25, 2008	Bill # 3874
	08:40 am

C. Maintaining records necessary for the administration of this Resolution.

III. APPLICABILITY

A. The Fee shall be paid by the purchaser at settlement on all transfers of ownership, as of January 1, 2006, except that the initial purchase of condominium units that are included in the agreement dated April 25, 2005, between the Heritage Harbour Community Association, Inc. and South River Associates, LLC are exempt from the payment of the Fee.

B. New residents of Heritage Harbour shall not be issued Association Membership Cards or permitted to use of any of the Association's recreational facilities unless they have registered at the office at the Lodge and have provided evidence of payment of the Fee.

IV. CLAIMS FOR REFUND OF THE FEE

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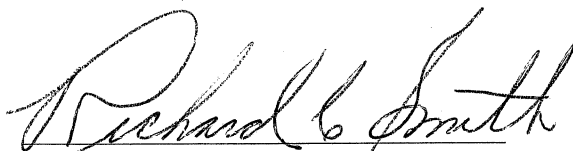
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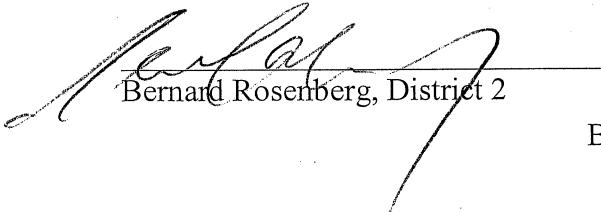
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Heritage Harbour Community Association, Inc.
959 River Strand Loop
Annapolis, MD 21401

By submitting an application by mail the applicant assumes all responsibility for the use of the U.S. Postal Service.


Richard Smith, District 1

Yes No Abstain
✓ _____ _____


Bernard Rosenberg, District 2

✓ _____ _____

Absent

James Thornton, District 3

Donald Tyson

Donald Tyson, District 4

____ ✓

Raymond Garvey

Raymond Garvey, District 5

____ ✓

Patricia Garrahy

Patricia Garrahy, District 6

____ ✓

Anthony Alessandrini

Anthony Alessandrini, District 7

____ ✓

Amendment 1 to Policy Resolution No. 8 was duly approved at a regular meeting of the Board of Directors on April 9, 2008.

Patricia Garrahy

Patricia Garrahy, Secretary
Heritage Harbour Community Association, Inc.

Policy Resolution
No. 8 was amended
and restated. For
information
purposes (resale)
only copy and use
Amendment 1 to
Policy Resolution
No. 8

HERITAGE HARBOUR COMMUNITY ASSOCIATION

POLICY RESOLUTION NO. 8

RECREATIONAL FACILITIES FEE

WHEREAS, Article IV, Section 3(b) of the Declaration of Covenants provides that the rights of the members are subject to the right of the Association to "levy reasonable admission and other fees for the use of any Recreational Facility situated upon the Common Areas by the members of the Association and their guest".

WHEREAS, Article V, Section 2(b) of the Bylaws provides that the duties of the Board of Directors include the "establishment and collection of assessments, fees, and/or carrying charges" and the "receipt, recording, use and expenditure of revenues from assessments, fees, carrying charges, contributions, donations, refunds, bequests and from any other sources not specifically enumerated herein".

NOW, THEREFORE BE IT RESOLVED that the Board of Directs desires to establish a Recreational Facilities Fee to supplement the Capital Improvement Reserve Fund.

I. GENERAL

- A. There is hereby imposed a two thousand dollar (\$2,000) Recreational Facilities Fee (the Fee) upon the purchaser of a residence in Heritage Harbour.
- B. The revenue from the Fee shall only be deposited in the Capital Improvements Reserve Fund, for use in creating new or improving existing recreational facilities.

II. RESPONSIBILITIES

The Management Agent is responsible for collecting the Fee upon each transfer of property, and the deposit of the Fee in the Capital Improvement Reserve Fund.

III. APPLICABILITY AND REFUND

The Fee is applicable to all purchases, as of January 1, 2006, and after this Resolution is recorded in the Circuit Court for Anne Arundel County, with the following exemptions:

- A. Purchaser of a second residence within the Community by a Class A member of the Association upon the sale of their primary residence may be eligible for a refund of said fee through the Association's appeal process.

RECORDING FEE 10.00
 OVER PAYMENT 5.00
 TOTAL 15.00
 Ref # AA15 Ref # 53943
 Nov 08, 2005 03:26 pm

RECEIVED FOR RECORD
 CIRCUIT COURT FOR ANNE ARUNDEL COUNTY
 2005 NOV - 8 P 4: 00

B. Initial purchase of condominium units in the South River Towers that are covered by the agreement dated April 25, 2005, between the Heritage Harbour Community Association and South River Associates, LLC, are exempt from the payment of the Fee.

	Yes	No	Abstain
<u>Frank Richter</u> Frank Richter, District 1	_____	<u>X</u>	_____
<u>Bernard Rosenberg</u> Bernard Rosenberg, District 2	<u>X</u>	_____	_____
<u>Edward Elliott</u> Edward Elliott, District 3	_____	<u>X</u>	_____
<u>Michele Ryan Crofoot</u> Michele Ryan Crofoot, District 4	<u>✓</u>	_____	_____
<u>Charles Kennedy</u> Charles Kennedy, District 5	<u>✓</u>	_____	_____
<u>Patricia Garrahy</u> Patricia Garrahy, District 6	<u>✓</u>	_____	_____
<u>Anthony Alessandrini</u> Anthony Alessandrini, District 7	<u>✓</u>	_____	_____

Policy Resolution No. 8 was duly approved at a regular meeting of the Board of Directors on

10/11/05

Anthony Alessandrini
Heritage Harbour Community Association, Inc.

HERITAGE HARBOUR COMMUNITY ASSOCIATION

POLICY RESOLUTION NO. 8

RECREATIONAL FACILITIES FEE

WHEREAS, Article IV, Section 3(b) of the Declaration of Covenants provides that the rights of the members are subject to the right of the Association to "levy reasonable admission and other fees for the use of any Recreational Facility situated upon the Common Areas by the members of the Association and their guest".

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NOW, THEREFORE BE IT RESOLVED that the Board of Directs desires to establish a Recreational Facilities Fee to supplement the Capital Improvement Reserve Fund.

I. GENERAL

- A. There is hereby imposed a two thousand dollar (\$2,000) Recreational Facilities Fee (the Fee) upon the purchaser of a residence in Heritage Harbour.
- B. The revenue from the Fee shall only be deposited in the Capital Improvements Reserve Fund, for use in creating new or improving existing recreational facilities.

II. RESPONSIBILITIES

The Management Agent is responsible for collecting the Fee upon each transfer of property, and the deposit of the Fee in the Capital Improvement Reserve Fund.

III. APPLICABILITY AND REFUND

The Fee is applicable to all purchases, as of January 1, 2006, and after this Resolution is recorded in the Circuit Court for Anne Arundel County, with the following exemptions:

- A. Purchaser of a second residence within the Community by a Class A member of the Association upon the sale of their primary residence may be eligible for a refund of said fee through the Association's appeal process.

2005 NOV - 8 P 4: 00

RECEIVED FOR RECORD
CIRCUIT COURT FOR A.A. COUNTY

RECREATIONAL FEE	2,000.00
DEPOSIT PAYMENT	2,000.00
TOTAL	4,000.00
RECEIVED	4,000.00
NOV 05 2005	

B. Initial purchase of condominium units in the South River Towers that are covered by the agreement dated April 25, 2005, between the Heritage Harbour Community Association and South River Associates, LLC, are exempt from the payment of the Fee.

	Yes	No	Abstain
<u>Frank Richter</u> Frank Richter, District 1	_____	<u>X</u>	_____
<u>Bernard Rosenberg</u> Bernard Rosenberg, District 2	<u>X</u>	_____	_____
<u>Edward Elliott</u> Edward Elliott, District 3	_____	<u>X</u>	_____
<u>Michele Ryan Crofoot</u> Michele Ryan Crofoot, District 4	<u>✓</u>	_____	_____
<u>Charles Kennedy</u> Charles Kennedy, District 5	<u>✓</u>	_____	_____
<u>Patricia Garrahy</u> Patricia Garrahy, District 6	<u>✓</u>	_____	_____
<u>Anthony Alessandrini</u> Anthony Alessandrini, District 7	<u>✓</u>	_____	_____

Policy Resolution No. 8 was duly approved at a regular meeting of the Board of Directors on

10/11/05.

Anthony Alessandrini
Heritage Harbour Community Association, Inc.

HERITAGE HARBOUR COMMUNITY ASSOCIATION

POLICY RESOLUTION NO. 8

RECREATIONAL FACILITIES FEE

WHEREAS, Article IV, Section 3(b) of the Declaration of Covenants provides that the rights of the members are subject to the right of the Association to "levy reasonable admission and other fees for the use of any Recreational Facility situated upon the Common Areas by the members of the Association and their guest".

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NOW, THEREFORE BE IT RESOLVED that the Board of Directs desires to establish a Recreational Facilities Fee to supplement the Capital Improvement Reserve Fund.

I. GENERAL

A. There is hereby imposed a two thousand dollar (\$2,000) Recreational Facilities Fee (the Fee) upon the purchaser of a residence in Heritage Harbour.

B. The revenue from the Fee shall only be deposited in the Capital Improvements Reserve Fund, for use in creating new or improving existing recreational facilities.

II. RESPONSIBILITIES

The Management Agent is responsible for collecting the Fee upon each transfer of property, and the deposit of the Fee in the Capital Improvement Reserve Fund.

III. APPLICABILITY AND REFUND

The Fee is applicable to all purchases, as of January 1, 2006, and after this Resolution is recorded in the Circuit Court for Anne Arundel County, with the following exemptions:

A. Purchaser of a second residence within the Community by a Class A member of the Association upon the sale of their primary residence may be eligible for a refund of said fee through the Association's appeal process.

RECORDING FEE 10.00
OVER PAYMENT 5.00
TOTAL 15.00
REC'D ANLE REC'D 4 55943
NOV 06, 2005 00:20 PM

2005 NOV - 8 P 4: 00
RECEIVED FOR RECORD
CIRCUIT COURT FOR A.A. COUNTY

B. Initial purchase of condominium units in the South River Towers that are covered by the agreement dated April 25, 2005, between the Heritage Harbour Community Association and South River Associates, LLC, are exempt from the payment of the Fee.

	Yes	No	Abstain
<u>Frank Richter</u> Frank Richter, District 1	_____	<u>X</u>	_____
<u>Bernard Rosenberg</u> Bernard Rosenberg, District 2	<u>X</u>	_____	_____
<u>Edward Elliott</u> Edward Elliott, District 3	_____	<u>X</u>	_____
<u>Michele Ryan Crofoot</u> Michele Ryan Crofoot, District 4	<u>✓</u>	_____	_____
<u>Charles Kennedy</u> Charles Kennedy, District 5	<u>✓</u>	_____	_____
<u>Patricia Garrahy</u> Patricia Garrahy, District 6	<u>✓</u>	_____	_____
<u>Anthony Alessandrini</u> Anthony Alessandrini, District 7	<u>✓</u>	_____	_____

Policy Resolution No. 8 was duly approved at a regular meeting of the Board of Directors on

10/11/05

Anthony Alessandrini
Heritage Harbour Community Association, Inc.