



MIDDLE VILLAGE HOMES CORPORATION

HOMEOWNER GUIDE

Middle Village Homes Corporation, Inc.

Residents Of Clubside And Thomas Choice West

This booklet contains information pertaining to your homes corporation which is responsible for overseeing the maintenance of commonly-owned properties within your community.

At settlement, or when you signed your rental agreement, you should have received a copy of the Declaration of Covenants, Conditions, and Restrictions. These restrictions are part of the original documents registered by the developer to protect the quality of your community. Your homes corporation enforces against violations of these rules and restrictions. Also included are various rules and policies adopted by your homes corporation, which are reviewed periodically by your Board of Directors.

The Montgomery Village Foundation is the management company for your homes corporation. A manager is employed to handle the day-to-day affairs of the homes corporation. The manager may be contacted by calling 301-948-0110.

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Montgomery Village Foundation, Inc.

10120 Apple Ridge Road

Montgomery Village, MD 20886-1000

301-948-0110

www.mvf.org

middlevillagehc@mvf.org

Reference Guide

Departments and Extension Numbers

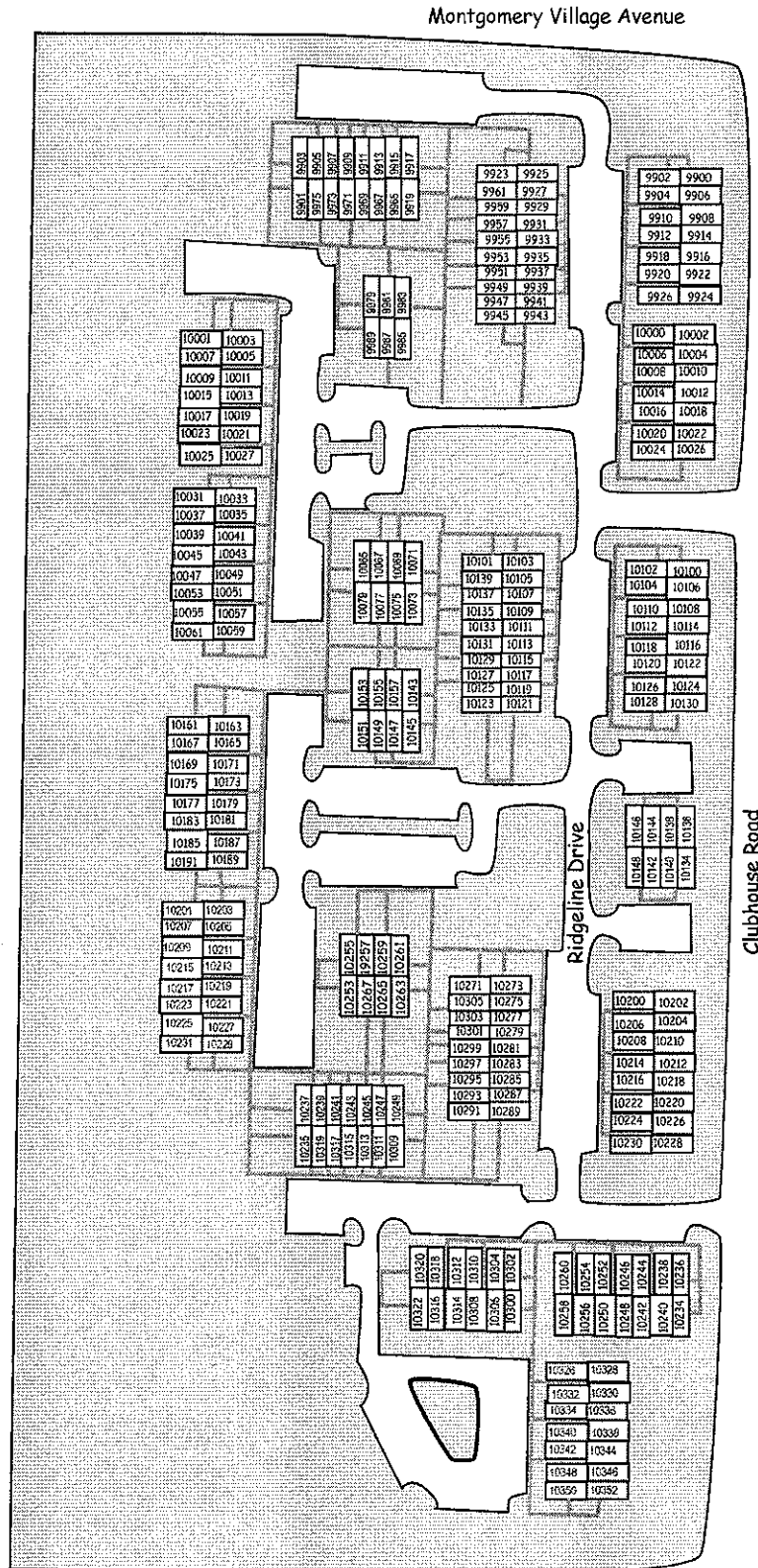
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Additional Phone Numbers

EMERGENCY (police/fire/ambulance).....	911
POLICE (non-emergency)	301-279-8000
Crisis Center.....	240-777-4000
Abandoned Cars.....	240-773-6411
Air Pollution Incidents	240-777-7770
Animal Control.....	240-773-5960
Building Code Inspections.....	240-777-6210
Building Permits.....	240-777-6360
Consumer Affairs	240-777-3636
Electrical Licenses & Permits.....	240-777-6210
Environmental Protection	240-777-7770
Fire-Code Violations.....	240-777-2457
Health Department (rodent control).....	240-777-3986
Housing Code Enforcement.....	240-777-3785
Illegal Dumping.....	240-777-9867
J & J Inc.	1-800-465-2350
Montgomery County Information.....	240-777-1000
Noise Control	240-777-7770

Recycling—appliance free pick up.....	240-777-6400
Ride-On Bus Information.....	301-777-7433
Snow Removal & Pot Holes on County Roads.....	240-777-7623
Street Lights	240-777-2190
Untagged Cars	240-777-3785
Water Pollution Incidents.	240-777-7770
WSSC (emergency).....	800-828-6439
WSSC (water leaks/pressure testing)	301-206-4002

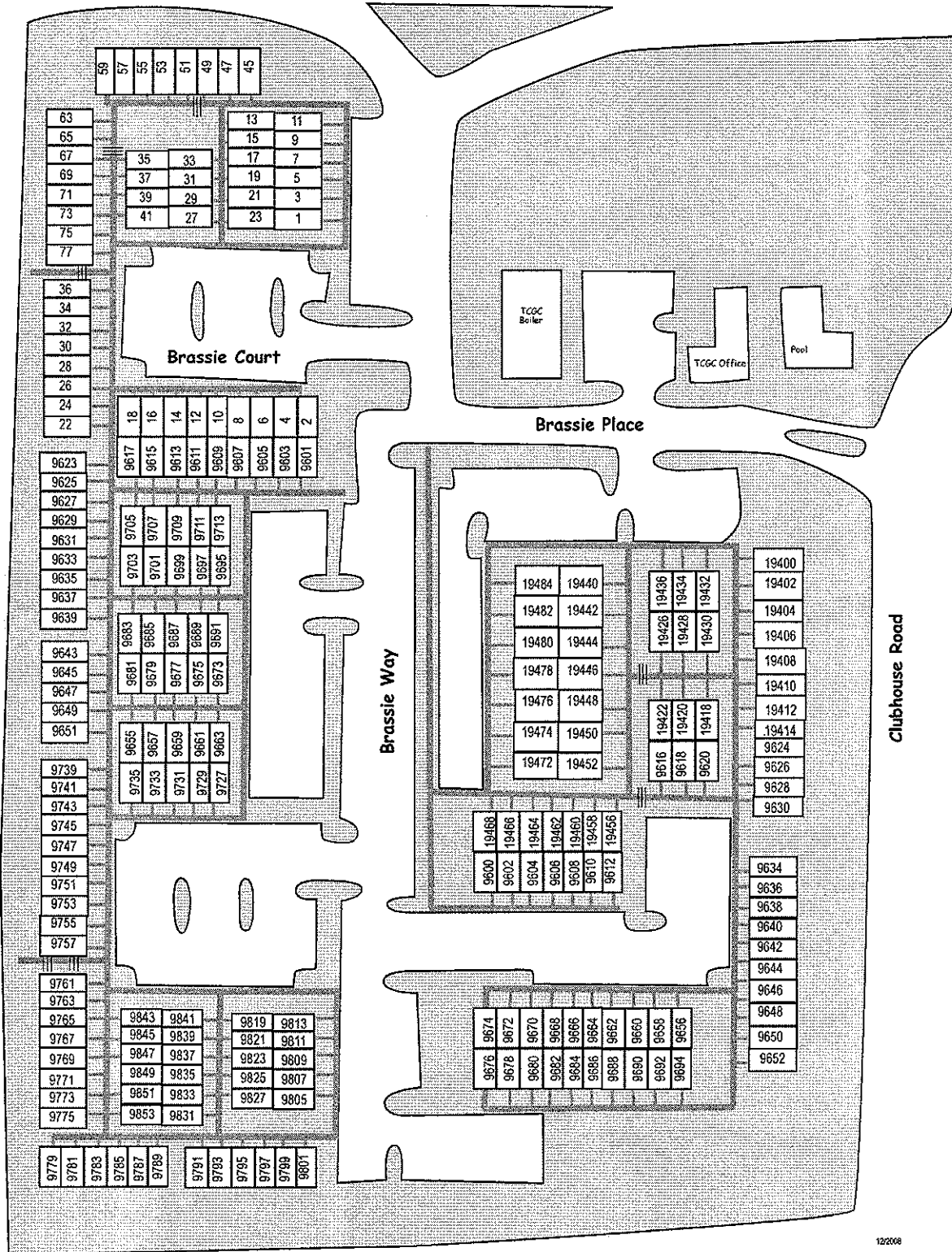
Middle Village Homes Corporation – Clubside



12/2008

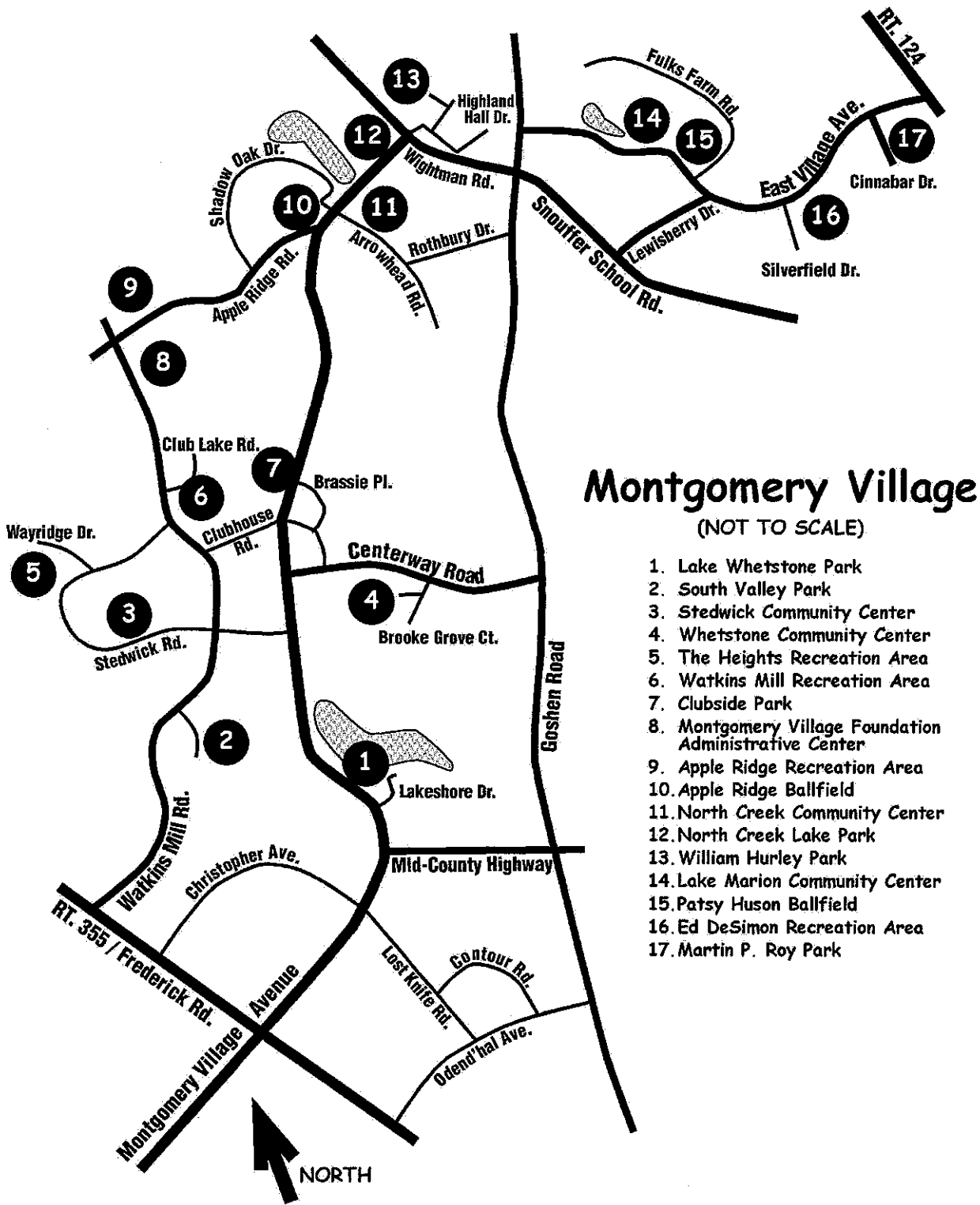
Middle Village Homes Corporation

Thomas Choice West



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MVF Facilities Map



General Information

Architectural and Property Improvement Questions?

All exterior changes to home or property must be approved by the Architectural Review Board. Pick up a "Property Improvement Request" form from the Montgomery Village Foundation (MVF) office, fill out, and return. Applications are reviewed bi-monthly for approval.

Post Lamp or Street Light Damage/Repair?

Contact the Montgomery Village Foundation Community Management Department at 301-948-0110 ext. 327

Sewer Back-Up?

For internal back-ups within the dwelling unit, call a private plumbing firm. External sewer back-ups in the main line should be reported to WSSC at 301-206-4002.

County Road Repair

If you wish to report hazardous conditions on the County roads within Montgomery Village, call Montgomery County Street Maintenance at 301-217-2159.

Pet Control

Violations of Montgomery County's Animal Control Ordinance should be reported to the Montgomery County Department of Animal Control at 240-773-5960

Wildlife

Diseased or dying wildlife should be reported to the Maryland Wildlife Administration at 1-877-463-6497 or Chesapeake Wildlife Sanctuary at 301-390-7010.

Clogged Storm Drains

Any evidence of clogging or foreign matter in the storm drains should be reported to the Montgomery Village Foundation at 301-948-0110, ext. 344.

Covenant Violations/Questions?

All Homeowner Association communities in the Village have covenants which restrict trucks, commercial vehicles and recreational campers, clothes lines, unlicensed vehicles, boat storage, etc. To report a violation, call the MVF Covenant Control Department at 301-948-0110, ext. 326.

Assessments/Billing Questions or Information

Assessments are paid quarterly by every homeowner in the Village. Payment is due the first day of the quarter, and after 60 days, a late fee is charged on the past due amount. Questions as to the billing period and assessment amount are to be directed to the Assessment Department at 301-948-0110, ext. 346.

Moving Within or Out of the Village

As a resident, you are obliged to inform the settlement attorney of the existence of architectural and covenant controls and of assessments. Necessary documents and certificates may be obtained from the Foundation office for a fee at 301-948-0110.

Own a Rental Unit?

As a lessor, you are required to notify the Foundation of the names of the new tenants. A renters booklet is also available free of charge upon request.

Exterior Painting

For your convenience, a listing of the paint colors originally used on your home is available at the Montgomery Village Foundation office. To change the paint color from the original requires approval from the Architectural Review Board.

Exterior Lighting on Units

One of the responsibilities of Clubside unit owners is the maintenance of the atrium. The following rules have been established in accordance with Paragraph 6 of the Middle Village Homes Corporation Documents which states;

6. Each owner shall at all times maintain the entrance area light metered to his unit providing the illumination for the easement area, and where such lighting is placed on or within the easement areas as part of the original construction, a valid easement therefore shall and does exist.

The maintenance of the pagoda light in each atrium is the responsibility of the owner of the first unit on the left as you enter the atrium.

The maintenance of the exterior overhead light is the responsibility of the owner of the first unit on the right as you enter the atrium.

The maintenance of the lights outside each entry door is the responsibility of the individual unit owner. It is important to keep lights in operation for safety/security purposes for you and your neighbors.

Exterior Maintenance

It is the individual homeowner's, not the homes corporation's, responsibility to keep your home's exterior (house and fence) maintained and provided with periodic painting. Maintaining a home's exterior, including its yard, can help to increase its longevity and retain its property value.

Trash Disposal

Unified trash collection throughout your community is included in your assessment and is provided by J&J Inc. (1-800-465-2350). All refuse generated from normal household operations (excluding recyclables) is collected twice weekly on Tuesday and Friday. Exceptions to this are legal holidays (New Year's Day, Martin Luther King Day; Memorial Day; Independence Day, Labor Day; Christmas Day) or when severe weather conditions prohibit collection. Please have trash ready by 7:00 a.m. on pick-up day. Any questions, missed collections, arrangements for special collections, or complaints will be handled by J&J Inc. at 1-800-465-2350.

Recycling

Middle Village has curbside recycling of glass, cans, plastic (with the number 1 or 2 in the recycling symbol) and newspapers. Place your recyclable glass, cans and plastics directly in your blue box. The blue box should then be placed at the curb or edge of the public right-of-way by 7:00 a.m. on Wednesday. Put newspapers in a paper grocery bag, or tie with string. In addition, leaves and grass clippings bagged in large brown kraft paper bags are collected on recycling days from April 1 through November 30. Christmas trees (with all decorations, tinsel and angel hair removed) are collected on your recycling day from December 26 through January 31.

Animal Control

The Montgomery County Animal Control ordinance governs Middle Village. Please observe their rules and regulations. The following are a list of the laws which are most commonly abused:

The Leash Law - "It is unlawful for any person to allow his dog to run at large anywhere in the County. An animal off its owner's premises must be leashed or otherwise under the control of a responsible person capable of physically restraining the animal. Dogs must be leashed when on school grounds when school is in session or on any public recreation areas when an organized activity is being conducted. The County Police and the Montgomery County Department of Animal Control may issue a notice of violation to any person whose dog violates this regulation. The minimum fine is \$100.00."

Public Nuisance - "An owner must not allow an animal to cause an unsanitary, dangerous, or offensive condition due to size or number of animals kept in one location, or because of facility is not appropriate for the animal or properly maintained. No animal shall damage, soil, defile, or defecate on private property other than the owner's. Feces shall be immediately removed from private property and disposed of by the animal's owner in a sanitary manner. No animal shall cause a disturbance by excessive barking or other noise-making. No animal shall molest, attack or interfere with persons in the public right of way, chase vehicles, or attack other domestic animals." The minimum fine is \$100.00.

Females in Heat - An owner must keep a female dog or cat inside a building or other secure enclosure that prevents attraction of other animals." The minimum fine is \$100.00."

If you see a dog roaming unattended, you are urged to call **Animal Control at 240-773-5960**. When an animal is picked up, the following ordinance will apply pertaining to Impounded Animals. "All Dogs or cats impounded at the Animal Shelter shall be held for at least five days unless claimed by the owner, except for critically injured or diseased animals which may be destroyed immediately. The owner of an impounded animal may redeem the animal by proving ownership, meeting all vaccination and licensing requirements, paying board fees, and the redemption fee."

House Numbers

In the interest of a well kept uniform appearance, and as an aid in locating an address, particularly important for emergency vehicles on call, unit owners are asked to replace any missing or damaged numerals.

Middle Village Homes Corporation Policies

Anti-Vine Motion

Whereas the Second Supplementary Declaration and Amended Declaration of Covenants, Conditions and Restrictions of Middle Village Homes Corporation specify that "Each owner...will cause the improvements as originally constructed on the lot...owned by him...to be maintained in a manner so as not to be detrimental to the general appearance and harmony of the community, and...will not remove any portion of said original construction nor cause the same to fall into a state of disrepair of neglect,"

and whereas ivy or any other clinging vine is deemed to be detrimental to the general appearance of the community when it is attached to any such improvement to the extent that

it extends from the ground via the exterior (community property side) of a fence or wall to the top thereof over an area which is, at any point, more than five feet wide, or

it extends from the ground to an elevation higher than the first floor of the house to which it is attached, or

it covers or obscures any part of a gate or of a window or door of the house to which it is attached,

now therefore be it resolved that a homeowner who permits such vegetation to grow so configured shall be deemed to be in violation of the aforesaid covenant.

*Adopted April 17, 2001
Reaffirmed 7/17/07, 3/17/09*

Community Property Policy, Rules and Regulations

1. The maintenance, improvement and appropriate use of the property of Middle Village Homes Corporation, Inc. (MVHC), referred to as "community property" and including but not limited to greenspaces, sidewalks and streets and the improvements thereon (landscaping, stairways, retaining walls, road signs, etc.) are of primary importance to all homeowners in order that private property values and the quality of life for residents may be protected and enhanced.
2. Community property is not to be used for activities (including but not limited to recreation) which may damage turf or plantings or the personal property of others (e.g., residents' automobiles), or which infringe on the rightful enjoyment of their homes or community property by other residents (e.g., noise, including that generated by audio equipment, which unreasonably disturbs other residents).
3. Montgomery County animal control ordinances are applicable to community property, including but not limited to those requiring leashing, neutering and the prompt clean-up of pet droppings by the animal's owner.
4. Community property may not be used for private plantings by residents nor may any resident destroy, remove or alter any tree, shrub, flower or grass from community property.
5. Freestanding personal property (including but not limited to grills, lawn furniture and recreational equipment) may not be brought onto community property, and private property of any sort (except properly parked motor vehicles – see "Parking & General Vehicular Rules and Regulations") may not be left on community property unattended. Such property may be removed and disposed of by MVHC at the owner's expense and risk.
6. Litter, trash, refuse or unwanted personal property is not to be left on community property. (See also "Trash Disposal Policy.") Homeowners and/or residents may be liable for the cost of disposal of same incurred by MVHC.
7. Commercial use of community property (including but not limited to yard sales) is prohibited.
8. No signs may be posted on community property other than those erected and maintained by MVHC. An exception to this rule applies to directional signs during an "open house" of the residence for sale to which it relates, subject to the following restrictions: no more than four signs per "open house" each of which may not exceed three square feet in area with a top not exceeding three feet in height; the sign must show a directional arrow and announce an "open house" and must be located on greenspace (not street or sidewalk) in a manner which will not damage landscaping, obscure other signs or create a safety hazard; such signs are permitted between noon Saturday and sundown the following Sunday but must be removed when the property is not actually open for inspection. Any sign not in compliance with this exception is subject to immediate removal and disposal by MVHC at the owner's expense and risk.
9. The consumption or display of alcoholic beverages or containers is prohibited on community property.

10. When a resident (or group of residents) desires to make some use of community property which is prohibited or restricted by this policy, such usage (or modified usage) may be authorized by the MVHC board of directors if request is made in advance (so that the board may give adequate consideration to the rights of other residents and the protection of community property) in writing. MVHC authorizations will only be valid in writing and issued prior to the usage requested and the resident who requested the permission must make that authorization available for inspection during preparation for and during such usage.
11. Homeowners are liable for and responsible for the actions of their tenants and guests with regard to all aspects of this policy.
12. This policy replaces and supersedes the "Policy Relating to the Use of Greenspace" and Yard Sale Rules and Regulations."
13. If, despite its promulgation, violations of this policy occur, MVHC may impose fines against responsible homeowners, suspended privileges of homeowners, their tenants and guests, and/or correct violations and charge the cost thereof to the responsible homeowners. Fines may also be imposed directly against homeowners for violation of this policy by their tenants or guests.

Ratified: 06/17/97

Approved as amended: 07/15/97

Reaffirmed: 9/16/97, 5/19/98, 5/20/02, 4/17/07, 4/15/08, 3/17/09

Community Standards Guidelines

These guidelines will be used in identifying property in visible disrepair and requiring maintenance by the homeowner. Once property has been identified as being in disrepair, property owners will be notified to maintain their property. For property owners failing to come into compliance within a specified time period, legal action will be taken.

1. Roof

- a. Missing or damaged shingles
- b. Visible holes in roof
- c. Loose, damaged, or missing vent pipes, flashing or chimneys

2. Exterior Paint - House/Fence

- a. For one side of a house or a fence, a combined surface of four (4) square feet of peeling, chipped, exposed or bare wood, metal or composite material
- b. For trim, three (3) running feet of peeling, chipped, exposed, or bare wood, metal, or composite material

3. Bricks

- a. Loose or broken bricks which may present a hazard
- b. Missing bricks

4. Gutters, Rainspouts, Drains, Vents, Diverter Bars

- a. Unsecured, not firmly affixed to the house
- b. Missing sections

5. Window Panes/Screens

- a. Broken and/or missing panes
- b. Torn or damaged screens

6. Siding, Trim, Atrium Trellises, Balconies, Window Boxes, Exterior Doors, Lattices

- a. Missing sections or unsecured fastening
- b. Structural defects

7. Wood/Siding

- a. A combined total of two (2) square feet of rotten or damaged wood or siding

8. Fences and Gates

- a. Loose or missing fence posts
- b. Loose or missing boards
- c. Unsafely or not fully suspended gates

9. Retaining Walls

- a. Walls no longer serving retaining functions
- b. Walls which present a hazard or possible damage to the property of others

10. Sidewalks

- a. Cracked and separated concrete sections that present a hazard
- b. Missing expansion Joints

11. Steps

- a. Loose steps or steps in danger of breaking

12. Pagoda Lights and Exterior Lights

- a. Broken, smashed, rusted, unpainted, dented, bent out of shape, or broken glass fixtures

Procedures for Dispute Resolution

Chapter 10B, Common Ownership Communities, of the Montgomery County Code establishes a process including mediation and binding administrative hearings to resolve certain disputes involving common ownership communities. (See Montgomery County Code, Sections 10B-8 through 10B-15). Section 10B-9(b) of the law provides:

"A party must not file a dispute with the Commission (Commission on Common Ownership Communities) until the party makes a good faith attempt to exhaust all procedures or remedies provided in the association documents."

In accordance with the provision, the procedures and remedies for disputes arising between the Middle Village Homes Corporation Inc. (MVHC) and other parties are established as follows:

1. Any party who has a dispute with MVHC which is within the jurisdiction of Chapter 10B shall file a written description or notice of the dispute, including the relief requested, with the MVHC attorney, Phillip B. Ochs, at 4300 Montgomery Avenue, Suite 205, Bethesda, Maryland 20815. If appropriate, MVHC may provide forms for filing notices of disputes.
2. Notice of a dispute should be filed with MVHC within thirty (30) days from the date the dispute arose.
3. The MVHC Board of Directors or a committee appointed by the Board specifically for this purpose, will hear all disputes or appeals. The party filing the dispute or appeal will be given at least ten (10) days written notice of the time, date and place of the hearing. The hearing will be held, if possible, within thirty (30) days of filing of the notice of a dispute, or appeal at a mutually convenient time, date and place.
4. At the hearing, MVHC, and the party filing the dispute or appeal may present evidence and testimony and question opposing witnesses. Reasonable time limits may be imposed by MVHC. The party filing the dispute or appeal may be required to file a pre-hearing statement indicating the number of witnesses and the estimated amount of time he or she will require to present the dispute.
5. The Board of Directors, or committee which hears the dispute or appeal will attempt to issue a written decision or agreement within fifteen (15) days of the hearing granting or denying the relief requested.
6. MVHC and the party filing the notice of a dispute or appeal may agree to a settlement or compromise of the dispute at any time during the process.
7. If a party who has a dispute with MVHC fails to file a written notice of dispute or appeal and to request a hearing, then no hearing need be held before MVHC takes whatever action may be appropriate under the circumstances to enforce its covenants, rules and regulations. The filing or pendency of a dispute or appeal does not automatically stay action by MVHC.
8. The MVHC Board of Directors may develop and adopt additional rules of procedure for the fair conduct of hearings.

*Approved: 5/21/91 Reaffirmed: 8/2/04, 6/14/05 Revised: 7/19/05
Reaffirmed: 6/20/06, 6/19/07, 6/17/08, 3/17/09*

Investment Policy

1. All monies in the possession of Middle Village Homes Corporation (hereinafter "MVHC") will be maintained in one or more of the following financial vehicles: (a.) Accounts or certificates of banks whose deposits are insured by the Federal Deposit Insurance Corporation or its successor(s) hereinafter "FDIC"); (b.) Obligations of the United States government or its agencies, for which the timely payment of principal and interest are guaranteed by the issuer; (c.) Mutual funds which invest primarily in "(b.)" above.
2. Funds on deposit or invested in "1.(a.)" above will be allocated among institutions in such a way that MVHC's aggregate balances do not exceed the limits of insurance protection provided to depositors through the FDIC.
3. A resolution of the Board of Directors will be required: (a.) to invest funds for maturities of greater than one-hundred-eighty-three days; (b.) to redeem any investment prior to the earliest maturity date stated thereon; (c.) to invest funds (of any maturity) in "1.(b.)" above; or (d.) to pledge, sell, or assign any asset.
4. The Treasurer, or in his/her absence the Assistant Treasurer, or in his/her absence the President: (a.) may, within the constraints of "2." above, invest MVHC funds in vehicles described in "1.(a.)" above for maturities not to exceed one-hundred-eighty-three days; and (b.) will provide for the inspection of the Board of Directors, on at least a quarterly basis, a descriptive listing, satisfactory to it, of all financial assets, including names of all depositories, balances therein and maturities.

Approved: 1/16/96

Reaffirmed: 1/21/97, 1/20/98, 1/19/99, 1/16/01, 1/20/04, 1/18/05, 1/17/06, 01/14/07, 3/17/09

Trash Disposal Policy, Rules And Regulations

Unified Trash Collection throughout Middle Village Homes Corporation community is included in the homeowner's annual assessment. The following trash service (excluding recyclables which are collected by the County) is provided under Unified Trash Collection:

Twice-Weekly Collection on Tuesday and Friday of normal residential trash, except for the following holidays: New Years Day, Martin Luther King Jr. Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas. (Collection for these holidays will be made on the next-following weekday). Saturday will include a quick drive through the entire community and collecting all trash placed on common areas that are visible from the street and parking areas of Middle Village.

Free Collection of bulky trash, such as furniture, rugs, mattresses, bicycles, large toys and other residential trash will be made during regular twice-weekly collection. Bulky trash must not be placed outside of the fence prior to the day of scheduled pickup.

Special collections may be arranged with the contractor at the expense of the resident. The collection fee should be confirmed when the pickup is scheduled. The item to be picked up must be at an exterior location on the premises, which is accessible to the contractor.

Non-Collectable Refuse includes appliances, tires, batteries, dirt, rocks, bricks, cement blocks, sod, tree stumps, water-logged refuse, partially burned fireplace logs, hot ashes, poisons, acids, caustics, household chemicals, gasoline, oil and other inflammables, explosives, ammunition, dead animals, paint, or any acceptable refuse that is not placed in an approved container. Arrangements may be made directly with Montgomery County Recycling for many of these items; their phone is 240-777-6410.

All trash must be ready for pickup by 7:00 a.m. Trash should be placed at the sidewalk in the front of your home. If you live in an interior courtyard, please place your trash on the closest common sidewalk in the front of your home. You can store the trash in your home, or inside the fenced portion of your property only in vermin proof containers. They should not be visible from community property other than on the morning of pick-up. (The 7:00 a.m. pick-up time is intended to make it unnecessary to put trash out any earlier than the morning of collection.)

Contacts regarding service (including missed pick-ups) are to be made directly with:

J & J Inc. – phone 1-800-465-2350

J & J, Inc.'s office hours are: Monday thru Friday from 8:30 to 4:30 p.m.

*Adopted: 3/20/01; Amended: 2/11/04
Adopted: 3/16/04; Reaffirmed: 7/19/05, 10/17/06
Revised: 07/17/07; Reaffirmed: 7/15/08, 3/17/09
Reaffirmed as modified 4/21/09*

Collection Policy of Middle Village Homes Corporation, Inc.

Purpose: This policy will be followed by the Middle Village Collection Agent when collecting all debts owed to the Middle Village Homes Corporation, including but not limited to assessments, fines, and returned checks.

Agent: The Middle Village Collection Agent is the Montgomery Village Foundation (MVF) 10120 Apple Ridge Road, Montgomery Village, MD, 20886. Telephone: 301-948-0110.

Due Dates: Homeowners may choose to pay their assessment either annually or quarterly (four times per year).

An annual assessment payment is due in full on January 1 of each year. If payment in full is not received by the last day of January, the homeowner's account will be established on a quarterly payment plan.

Installments for quarterly assessment payments are due on the first day of January, April, July, and October.

Assessment rate notices are mailed to property owners in November of each year. Payment coupons are mailed to property owners each December. Property owners who do not receive coupons via regular mail by December 31 should call the Collection Agent to request replacement coupons. **Failure to receive a coupon booklet does not relieve a homeowner of the obligation to pay the required assessment when due.**

Methods of Payment:

Cash payments must be made at the MVF office, 10120 Apple Ridge Road. Office hours are Monday through Friday, 8:30AM -5:00PM.

Checks (payable to MVF) can be brought to the MVF office, or mailed to PO Box 822818, Philadelphia, PA 19182-2818. Checks **MUST** be mailed early enough to arrive on or before the due date. Checks returned for any reason are subject to a \$35 returned check fee.

VISA or MasterCard payments may be made at the Apple Ridge Road MVF office or by telephone to the MVF office, 301-948-0110. A credit card processing fee will apply.

ACH transfer will be automatically processed after the authorization is reviewed and accepted by the MVF office.

Only cash, certified check or money order will be accepted as payment for a returned check.

Payments that are being made on an account that is in bankruptcy, under judgment or to stop or satisfy a lawsuit must be made at the MVF office.

Delinquent Accounts, Administrative Costs, and Collection Fees:

Any assessment that has not been paid by the last day of the first month of the quarter is considered delinquent. Reminder notices will be sent to property owners during the first week of the second month of the quarter. A \$25.00 administrative fee will be applied to any account that remains unpaid on the last day of the first month of the quarter (Jan. 31, Apr. 30, July 31, & Oct. 31.) This administrative fee is assessed to defray the expenses associated with collection.

Acceleration: If the quarterly payment is not received by the last day of the quarter (March, June, September, December); hereinafter called the “acceleration date”, the entire balance of the annual assessment becomes due and payable immediately.

Interest on Delinquent Accounts: Interest will accrue at a rate of 6% per annum on the delinquent account.

Additional Notices:

Coupons – mailed each December

Reminder Notices – Will be sent to homeowners whose quarterly payments are delinquent at the end of the first month of a quarter.

Delinquent Letter – Will be sent to homeowners whose quarterly payments are unpaid at the end of the second month of a quarter. This notice will inform the homeowner that:

Interest at 6% per annum is being applied to the delinquent account.

If the account remains delinquent on the first day of the following quarter, MVF will seek judgment by filing a lawsuit in General District Court.

If a lawsuit is filed, the entire annual assessment becomes due and payable.

Failure to receive any or all of these notices does not relieve a homeowner of the obligation to pay the required assessment.

Collection Fees: If a lawsuit or lien is filed, the homeowner will be assessed all of the actual costs of filing and/or recording documents and any other cost or legal fees which may be allowed by law including, but not limited to, the following:

Process Server	Actual cost of service
Preparation of Lawsuit	Actual cost of service
Preparation of Lien	Actual cost of service
Court Costs	Actual cost of service

Costs, interest, and other charges levied by MVF or the Homes Corporations shall be posted to the homeowner’s account and collected in the same manner as assessments and will appear on the delinquent letter that will be mailed to the homeowner.

Waivers: Requests to waive administrative costs **must** be made in writing to the Assessments and Collections Administrator and must state specific circumstances as to why a waiver should be considered. Recurrent administrative costs cannot be waived.

Interest due on Judgments: From the date MVF receives a judgment against a homeowner for unpaid assessments, the judgment amount shall accrue interest at the rate permitted by statute until the date the judgment is paid in full.

Other Charges: If a check, ACH transfer or credit card charge is refused, returned for insufficient funds or payment is stopped, a \$35.00 charge will be assessed to the homeowner's account. Requests to waive this charge will only be considered upon presentation of a letter on bank stationery acknowledging bank error.

Communications: Any communication concerning disputed debts, including checks or money orders tendered must be sent to the Middle Village Collection Agent at MVF, 10120 Apple Ridge Road, Montgomery Village, MD 20886-1000.

Assessments are payments for goods and services provided by the Foundation/Homes Corporation and are not deductible as a charitable contribution. These assessments may be deductible as an ordinary and necessary business expense. Please consult your tax advisor.

Fine Policy

The Board of Directors may levy a fine for each occurrence of a violation of the Declaration of Covenants, Conditions and Restrictions (including Supplementary Declarations thereunto), the By-Laws of Middle Village Homes Corporation and published Rules and Regulations adopted by the Board of Directors. The maximum amount of the fine shall be \$100.00 for the first occurrence, with the maximum being doubled for each subsequent occurrence of the same violation (i.e., \$100.00 for the first occurrence, \$200.00 for the second occurrence, \$400.00 for the third occurrence, etc.), except that the amount of the fine for the first occurrence of a violation of Rules and Regulations restricting commercial use of community property (reference Community Property Policy, Rules and Regulations, #7) shall be \$200.00, with the aforementioned doubling for subsequent violations. The maximum fine shall be \$500.00 for a first incident of threatening (whether orally or by overt gesture) or assaulting, while in the performance of his or her duties, any Middle Village Homes Corporation contractors, staff member, officer, or director with the maximum fine doubling for subsequent incidents, any of which may be considered a violation of Section 15 of the First Supplemental Declaration of Covenants, Conditions and Restrictions. In addition to the foregoing, if the violation is continuing in nature (e.g., a violation of a Covenant regarding property maintenance), the fine shall be \$10.00 per day, beginning no sooner than two weeks following the date that notice is mailed to the violator (at his/her address of record), that the Board of Directors has found that a continuing violation exists. Total fines assessed against any one homeowner or resident in a twelve month period may not aggregate to more than \$5,000.00.

Ratified: 7/15/97

Approved as amended: 08/20/02

Revised 9/16/03 10/21/03

Reaffirmed 11/23/04, 10/18/05, 10/17/06, 10/16/07, 10/15/08, 3/17/09

Parking and General Vehicular Rules and Regulations

In accordance with Section 1(d) of Article IX of the By-Laws of Middle Village Homes Corporation, the Board of Directors of Middle Village Homes Corporation has adopted the following rules and regulations to implement and clarify the applicable covenants, conditions and restrictions of the Middle Village Homes Corporation and in consideration of the safety and welfare of the residents of the community of Middle Village within Montgomery Village, and in order to protect and preserve all of the property values within Middle Village.

1. The parking of motor vehicles will be permitted within Middle Village at the following locations:
 - a. **Community-owned property** - on the paved sections of the community-owned private streets and parking areas, except where parking is prohibited as specifically posted or where parking would restrict access to streets.
 - b. **County property** - on County-owned streets, except where parking is prohibited by the County.
2. In areas within the community-owned private streets and parking areas in Middle Village where curb markings have been provided for the parking of motor vehicles, it is required that all vehicles be parked within the curb markings in a perpendicular manner and using only one space per vehicle, and it is further required that vehicles be parked front end in only.
3. Parking is prohibited in all locations within the Middle Village community designated and clearly marked as "No Parking" areas (such as fire lanes, etc.).
4. Under no circumstances is the operation or parking of motor vehicles (including "off-road" vehicles as defined in Article 27, Sec. 578 of the Maryland Code) permitted on Middle Village community-owned greenspaces, sidewalks, or bike paths (all sidewalks and bike paths in Middle Village are community owned). The community-owned properties are not designed to accommodate the mechanical stresses caused by motor vehicles.
5. Under no circumstances is the operation or parking of unlicensed motor vehicles (including "off-road" vehicles as defined in Article 27, Sec. 578 of the Maryland Code) permitted on the Community-owned private streets or parking areas within Middle Village. The operation of motor vehicles by unlicensed drivers is likewise prohibited within Middle Village.
6. Under no circumstances is the parking of motor vehicles permitted on the property of a private dwelling unit within Middle Village, except as provided for in paragraph 1 (a) above.
7. No commercial vehicles, trucks or trailers *of any type*, campers or recreational vehicles shall be permitted to remain overnight* on either the property of a private dwelling unit or on the community-owned property within Middle Village other than as may be used by the developer in conjunction with building operations. A commercial vehicle includes any vehicle with any type of writing or printing (letters, words, pictures, insignia, etc.) identifying a firm, organization, service, product, etc., of any kind, type or description. Police and all other government-owned vehicles not restricted elsewhere herein are exempted. In addition, all vehicles carrying ladders, pipes, etc. will be considered commercial.

8. No private trucks or trailers *of any type* whatsoever and no vehicles which exceed 240 inches in length or 80 inches in width or 90 inches in height shall be permitted to remain overnight* on the community-owned property within Middle Village. For the purposes of these regulations, jeeps and vans which do not exceed any of the aforementioned dimensions shall be considered passenger vehicles. It is suggested that vans have conventional factory- installed windows along both sides and the rear.

The following vehicles licensed as MPV's (multi-purpose passenger vehicles) are also restricted from parking overnight* within Middle Village:

- a. All MPV's which exceed 240 inches (20') in length, or 80 inches (6'8") in width, or 90 inches (7'6") in height.
 - b. All MPV's which have more than four wheels on the roadway.
 - c. All MPV's which have an open-back and a separate cab. The largest group of such vehicles are referred to as pickup trucks and are prohibited regardless of whether or not they have a cap or camper and regardless of the number of passenger seats in the cab.
 - d. All off-road MPV's having a removable roof must have that roof installed on the vehicle when parked overnight in the community.
9. No boats of any type shall be permitted on the property of a private dwelling unit within Middle Village for more than fourteen (14) days unless screened in a manner acceptable to the Architectural Control Committee of the Montgomery Village Foundation. No boats of any type shall be permitted on the community-owned property within Middle Village except that the movement of any such boat thereon shall be allowed so as to permit ingress or egress to a private dwelling unit for storage therein.
10. Due to the unsightliness created and possible annoyance to other residents of Middle Village, no extensive work such as dismantling and repairing of motor vehicles, boats or machinery of any type shall be permitted outdoors on either the property of a private dwelling unit or on community- owned property within Middle Village.
11. No unlicensed or inoperable vehicles are to be stored or parked more than 48 hours on community-owned or private property. An unlicensed vehicle is one with no tags or one without current registration stickers. An inoperable vehicle is one with flat tires(s), missing parts, or any condition which makes it unable to move under its own power.
12. Certain locations within the private streets and parking areas of Middle Village may be designated as snow storage areas and will be posted "No Parking During Snow Emergencies". A snow emergency condition will exist for this purpose when so declared by the Montgomery County Government.
13. No vehicles shall be parked within 20 feet of bike paths, walkways or street intersections, nor within 15 feet of fire hydrants located within Middle Village, except in designated parking areas.

14. Violators of these parking and general vehicular rules and regulations will be subject to prosecution or such other legal action as may be appropriate. In addition, residents will be subject to the loss of Middle Village Homes Corporation privileges as may be determined by the Board of Directors in accordance with the applicable Articles, By-Laws and Covenants of the Corporation.
15. Reserved parking has been determined not to be in the best interest of Middle Village Homes Corporation members.
16. Homeowners, tenants and guest of properties must (a.) comply expeditiously with instructions from any board-designated person in his efforts to enforce compliance with MVHC covenants, rules and community signs (e.g., "no loitering"), and (b.) do nothing which may impede or induce others to impede any board-designated person in those efforts. Board-designated persons are: the MVHC community manager or assistant manager, any uniformed member of security patrol under contract to MVHC (which, until further notice, is American Protective Services), and the director of community management of the management company under contract to MVHC (currently Montgomery Village Foundation). Fines against homeowners for violations of (a.) or (b.) above may be in addition to any fines imposed for violations of the covenants or rules for which compliance is being sought.
17. These rules and regulations shall be enforceable by the Board of Directors of the Middle Village Homes Corporation, its officers, agents and employees and by the Montgomery County and State of Maryland Police Departments.

* At their 6/15/84 Board Meeting, the Middle Village Homes Corporation Board of Directors, in an attempt to clarify the term "overnight", has specified this period of time to be any time between the hours of 9:00 P.M. and 6:00 A.M.

Amended: 6/15/93 8/20/02

Reaffirmed: 4/16/91, 4/21/92, 4/20/93, 4/18/95, 5/22/96, 4/15/97, 9/16/97, 5/19/98, 5/18/04, 4/19/05

Amended: 10/18/05, Reaffirmed: 4/18/06, 4/17/07, 4/15/08, 3/17/09

Postlamp/Security Lights Reimbursement Policy

In accordance with the established covenant, the Homes Corporation is obligated to the maintenance and repair of the lighting system. (Money for such repairs and maintenance to come from assessments.) The Covenants state that each private dwelling unit within the Middle Village Homes Corporation will be reimbursed if they supplied energy to the postlamps/security lights. Those who do not supply energy to a community postlamp/security light will not be reimbursed.

Accordingly, each homeowner who furnishes power to a community postlamp/security light will be reimbursed annually. The amount will be established by the Board annually and will consider: (1) the wattage of the average postlamp/security light bulb, (2) the PEPCO calculation for one years operation of the average wattage bulb, (3) an "outage factor" to recognize that outages due to vandalism/maintenance reduces the annual energy consumption.

In order to calculate the cost per lamp, the following formula may be used:

Wattage of Lamp x 4200 hours

$$1000 = \text{KWH/Lamp}$$

$$\text{KWH/LAMP (x) } 0.12000/\text{KWH}^* = \text{ANNUAL COST PER LAMP}$$

The resulting amount for reimbursement will be issued by check to the homeowner on an annual basis by year-end.

The inventory of security lights mounted on the peak of the following houses requires a high wattage bulb:

13 Brassie Court	(1 Hook Up @ 175W)
23 Brassie Court	(1 Hook Up @ 250W)
59 Brassie Court	(1 Hook Up @ 250W)
9813 Brassie Way	(1 Hook Up @ 500W)

The inventory of postlamps, which are powered through residents meters, are:

22 Brassie Court	(1 Hook Up @ 35W)
9688 Brassie Way	(1 Hook Up @ 35W), (1 Hook Up @ 69W)
9690 Brassie Way	(1 Hook Up @ 50W)
9901 Ridgeline Drive	(1 Hook Up @ 35W)
9987 Ridgeline Drive	(1 Hook Up @ 35W)
10000 Ridgeline Drive	(1 Hook Up @ 50W)
10203 Ridgeline Drive	(1 Hook Up @ 35W)
10230 Ridgeline Drive	(1 Hook Up @ 35W)

10252 Ridgeline Drive	(1 Hook Up @ 50W)
10302 Ridgeline Drive	(1 Hook Up @ 50W)
10304 Ridgeline Drive	(1 Hook Up @ 50W)
10112 Ridgeline Drive	(1 Hook Up @ 50W)
10104 Ridgeline Drive	(1 Hook Up @ 50W)

** This figure is updated annually by PEPCO*

Approved as Amended: 9/19/95, 9/18/96; Reaffirmed: 11/20/01, 11/19/02, 10/21/03, 11/23/04, 10/18/05

Amended: 06/20/06; Reaffirmed: 10/17/06

Revised 9/17/07, Reaffirmed 10/16/07, 10/15/08, 3/17/09

Recommended Plant List

This list is a summary of selections recommended by the University of Maryland USDA, the Morris Arboretum, and the Brookside Gardens for their ornamental characteristics, resistance to insects (especially Gypsy Moths), resistance to disease, low maintenance requirements, and ability to withstand urban stresses.

It must be emphasized that site conditions will determine the lifespan of these plants. Selection of an appropriate species is also vital to future maintenance concerns. Physical limitations of a site should be considered to determine compatibility with mature plant size.

The key to long term survival lies in proper preparation of the planting hole, i.e., the old phrase, "a \$10 plant needs a \$50 hole". Compacted soil can be amended and mounded in a raised bed situation; soil acidity can be determined in order to group common PH plants. Mulching, irrigation, and/or artificial drainage will help to conserve moisture. Annual fertilization and removal of competitors will increase plant vigor. Remember, a healthy and vigorous plant is more able to withstand attack by insects and disease. Questions may be addressed to the Village Arborist, ext. 341.

EVERGREENS

1. **Leyland Cypress** (*Cedrus libani*): Tall, narrow, columnar habit. Rapid growth. (75')
2. **Cedar of Lebanon** (*Cupressocyparis leyandii*): Stiff pyramidal shape of low sweeping branches. Full sun, not for limited areas.

(60' by 50' spread)
3. **Hinoki False Cypress** (*Chamaecyparis obtusa*): Tall, pyramidal shape. (cv) 'Gracilis'. (75')
4. **Bald Cypress** (*Taxodium distichum*): Rapid growth, fine dark foliage; columnar habit. Tolerates wet and droughty soils. (cv) 'Monarch of Illinois', 'Shawnee Brave', 'Prairie Sentinel'. (70')

HEDGES

1. **Inkberry** (*Ilex glabra*): Upright, slow growing with small shiny leaves. Shade or sun, withstands wet conditions. (16')
2. **Heller Japanese Holly** (*Ilex crenata* 'Helleri'): Low growing, spreading and mound-like. Shade or sun. (4')
3. **Chinese Juniper** (*Juniperus chinensis*): Different cultivars will vary in height. Does well in poor soil; sun or shade. (cv) 'Hetzii', 'Pfitzer'- (15'); 'Sargentii'-(2')
4. **Eleagnus** (*Eleagnus pungens*): Spreading, mounding shrub. Dark green foliage is silvery underneath. Hidden fragrant flowers. (10')

* These cultivars do best in urban situations compared to other on the market.

DECIDUOUS TREES

1. **Red maple** (*Acer rubrum*): Excellent red fall color, red new growth. Tolerates most soils and dry conditions. (cv) 'Red Sunset', 'Autumn Flame', 'Bowhall', 'Armstrong'. (60')
2. **Norway Maple** (*Acer platanoides*): Dense foilage; withstands hot, dry conditions. A large tree - not for limited areas. (cv) 'Cleveland', 'Emerald Queen', 'Cavalier'. (75')
3. **Ginko** (*Ginkgo biloba*): Male cultivars only. Extremely hardy! Upright small tree with yellow fall color. (cv) 'Sentry', 'Autumn Gold'. (40')

4. **Black Gum** (*Nyssa sylvatica*): Pyramidal habit, tolerant of wet soils. Native. (70')
5. **Zelkova** (*Zelkova serrata*): Rapid growth with shiny bark. Red fall color; similar to Elm. (cv) 'Village Green'. (60')
6. **Hornbeam** (*Carpinus*): Dark green foliage with rapid growth and an upright habit. Yellow fall color. (cv) 'Fastigiata'. (40')
7. **Thornless Honeylocust** (*Glenditzia tricanthos*): Sun or shade. Fine foliage and yellow fall color. (cv) 'Imperial', 'Skyline'. (50')
8. **Kentucky Coffeetree** (*Gymnoclades dioica*): Male cultivars only (so no messy fruit). Fine foliage; sun or shade. (50')
9. **Hackberry** (*Celtis occidentalis*): Tolerates droughty and wet soils. Dark green foliage. (cv) 'Prairie Pride'

FLOWERING TREES

1. **Japanese Pagoda Tree** (*Sophora japonica*): Rapid growth, yellow flowers in August; wide spreading; fruit may drop on sidewalks. (cv) 'Regent'. (60')
2. **Callery Pear** (*Pyrus calleryana*): Gumdrop-shaped, early spring showy flowers, red fall color, yet crotch angles may split. (cv) 'Bradford', 'Chanticleer', 'Rancho'. (35')
3. **Golden Rain Tree** (*Koelreuteria paniculata*): Flowers mid summer; showy fruit capsules follow. Fine compound foliage; yellow fall color. (40')
4. **Kousa Dogwood** (*Cornus kousa*): Flowers later than common dogwoods (in June). Showy red fruit late summer; red fall color. Prefers shade and moist soil. (cv) 'Summer Star', 'Milky Way'. (30')
5. **Serviceberry** (*Amelanchier canadensis*): Showy white flowers, early spring. Striated bark, red fruit; tolerates wet and droughty soils. Shade or sun. (40')
6. **Tree Lilac** (*Syringa reticulata*): Showy white flowers, June. Moderate growth, lustrous dark foliage. Full sun. (cv) 'Ivory Silk'. (25')
7. **Stewartia** (*Stewartia ovata*): Large camellia-like flowers in July. Exfoliating bark, orange fall color. Thrives in acid soil. (40')
8. **Japanese Snowball** (*Scyrax japonica*): Fine foliage, white bell shaped flowers. Striated bark; prefers most areas. (25')

RESIDENTS' TIME POLICY

1. The Board of Directors encourages constructive comment on the affairs of Middle Village Homes Corporation by its residents and members (collectively "residents").
2. The preferred form for such comment is written, in that it creates an accurate, durable record for directors and other concerned parties, whether present at a given board meeting or not. It is the responsibility of the resident to ensure that such communication is properly disseminated.
3. Opportunities to address the board orally will be provided during a "Residents' Time" period which, unless modified by the chair or board, will commence at the announced starting time for each Board of Directors meeting and terminate with the call to order of the board of directors by the chair.
4. Any resident (or other party, at the board's discretion) may address the board once during each Residents' Time. To do so, the resident must register his/her request with the board by providing his/her name, Middle Village address and the topic of concern on a sheet provided for that purpose, prior to the commencement of Residents' Time.
5. The principal purpose of Residents' Time is to allow residents an opportunity to address the Board of Directors in person. In many cases the matter of concern to the resident may be referred to appropriate committee or other operative for disposition, as indicated.
6. To allow all residents an opportunity to present their comments and to assure that the board will have adequate time to consider all business before it, each resident who registers to speak will be allowed five minutes to do so. If more than eight residents have registered to speak, then the allowed time will be reduced to forty minutes divided by the number of registered speakers. By consensus, the board may modify this allowance for any speaker or speakers, without a requirement for equal time to all. The time allowance will include responses solicited by the resident, if any. A resident may not yield or convey his or her time allowance to another resident.
7. The Board of Directors meeting, which follows Residents' Time, is an open-attendance function and residents are most welcome to remain for it. It may be helpful to understand, however, that unless the subject of the resident's comment is either already on the agenda or added to it prior to "acceptance of agenda" by the board, it will not be taken up during the meeting. Furthermore, unless otherwise requested by a director, discussion of motions before the board is limited to the directors themselves.

Approved: 4/20/93
Reaffirmed: 7/17/07, 3/17/09

TOWING POLICY

PURPOSE

1. To prevent continued violation of the covenants and parking regulations by restricted vehicles (see Parking Rules and Regulations for descriptions of restricted vehicles).
2. To remove restricted vehicles when the owner of the vehicle cannot be located or identified.

IMPLEMENTATION

1. Restricted Vehicles - Owner has been identified - Towing will not be used until after the following steps have been taken:
 - a. Completion of the notification process by Montgomery Village Foundation on behalf of the Homes Corporation advising that the vehicle may be towed and/or legal proceedings may be instituted.
 - b. Staff will advise the inspector to sticker the vehicle the next time it is seen. The violation sticker will be securely attached to the windshield of the vehicle.
 - c. The date and time the sticker was attached is written on it.
 - d. The sticker informs the vehicle owner that the violation must be corrected or the vehicle removed within 48 hours after the sticker is attached, or the vehicle may be towed at the vehicle owner's expense.
 - e. After the sticker has been placed on the vehicle, staff will contact the towing company.
 - f. The tow company will locate and remove the vehicle between 9:00 p.m. and 6:00 a.m..
2. Restricted Vehicles - Owner has not been identified - Towing will not be used until after the following steps have been taken:
 - a. After the vehicle is seen once, a violation sticker is securely attached to the windshield of the vehicle.
 - b. The date and time the sticker was attached is written on it.
 - c. The sticker informs the vehicle owner that the violation must be corrected or the vehicle removed within 48 hours after the sticker is attached, or the vehicle may be towed at the vehicle owner's expense.
 - d. The vehicle may be towed 48 hours after it is stickered.
3. Abandoned Vehicles
 - a. The Montgomery County Police will be notified and its procedure for towing abandoned vehicles will be followed.

or
 - b. A tow sticker stating that the violation must be corrected or the vehicle removed within 48 hours is securely attached to the windshield of the vehicle. The vehicle may be towed 48 hours after it is stickered by the private towing company.

4. The Homes Corporation should post signs giving notice that the restricted vehicles will be towed.
5. Montgomery Village Foundation will continue to provide the Homes Corporation with reports on vehicle violations. In the event that additional staff must be hired to accompany the towing service, this cost will be borne by the Homes Corporation authorizing the towing. All instructions to the private towing company will be directly from MVF staff. The Homes Corporation will be kept informed of this action through a monthly report.

TREE POLICY

The Middle Village Homes Corporation has adopted the following policy regarding trees on common property and those within the easement, street side.

1. Trees will be replaced in Middle Village:
 - a. According to a basic plan worked out by the Middle Village Homes Corporation and the Village Forester.
 - b. In harmony with types of trees already in place.
 - c. Within budget constraints.
2. All requests for tree removal from community property should be directed to the Middle Village Homes Corporation Board or its representatives. Homeowners may not remove trees from community property.
3. Homeowners who wish to plant trees on community property:
 - a. Can do so only with the written permission of the Middle Village Board.
 - b. Must select varieties and sizes recommended for their particular area by the Middle Village Homes Corporation Board and the Village Forester.
4. All medium to large deciduous tree species and their cultivars and varieties, shall conform to American Association of Nurserymen standards and be at least 1/4 to 1/2 inches in diameter six (6) inches above ground level, and at least eight (8) to ten (10) feet in height when planted. All medium to large tree species must be planted by a professional who is licensed, bonded and insured.
5. All small deciduous tree species and their cultivars and varieties, shall be at least five (5) to six (6) feet or more in height and have six (6) or more branches.
6. All trees planted by homeowners on community property are the responsibility of the homeowner for a period of two (2) years. Thereafter, the tree becomes community property and no work, aside from watering and cultivation, shall be done except from watering and cultivation, by the Middle Village Board or by written consent (Community Property Improvement Request - CPIR form).
7. Homeowners who wish to prune, spray, fertilize, preserve, cut above ground, or otherwise disturb any tree on any street or community owner property:
 - a. Must submit a CPIR request form.
 - b. Use provided guidelines (provided with the CPIR).
 - c. Must accept financial responsibility for damage or injury to trees and shrubs.
 - d. Must accept any and all liabilities related to the work proposed by the homeowner on community property trees.
 - e. May only hire licensed/bonded/insured arborists (tree experts).

8. It shall be the duty of any homeowners owning or occupying any real property bordering on any street or community property upon which property there may be trees, to prune such trees in such a manner that they will not obstruct or shade the street lights, obstruct the passage of pedestrians on sidewalks, obstruct vision of traffic signs, or obstruct view of any street or intersection. The minimum clearance of any overhanging portion thereof shall be ten (10) feet over sidewalks, and twelve (12) feet over all streets except truck thoroughfares which shall have a clearance of (16) feet.
 - a. Homeowners who fail to prune trees as herein above provided, shall receive notice to prune such trees.
 - b. When a homeowner fails to comply after notification, within a reasonable period of time, the Middle Village Board of Directors will have the right to prune such trees.
9. Unless specifically authorized by the Village Forester, no person shall intentionally damage, cut, carve, transplant, or remove any tree: attach any rope, wire, nails, advertising posters, or other contrivance to any tree, allow any gaseous liquid, or solid substance which is harmful to such trees to come in contact with them.
10. No person shall excavate any ditches, tunnels, trenches, or lay any drive within a radius of ten (10) feet from any community property tree without first obtaining written permission of the Village Forester.

WHITE SQUARE POLICY

One of the major responsibilities of the Middle Village Homes Corporation during the warm weather months is the mowing of community-owned greenspace. The design of the community presents some difficulty in easily determining the division of property lines between private and community-owned property. Because of this, Middle Village Homes Corporation Board of Directors adopted the following policy.

The Middle Village Homes Corporation will be responsible for the maintenance and care of all grass outside the fence except under certain conditions which indicate otherwise.

*One condition is that privately-owned property outside the fence which has been landscaped with trees, shrubs or flowers will be the complete maintenance responsibility of the resident because of the mowing difficulties created by the additional plantings.

*A second condition exists when a resident exercises his right to maintain the grass outside his fence but within his own property lines and notifies the homes corporation of his decision to follow the white square system.

In order to implement this policy, MVHC will instruct the mowing contractor to mow all grass outside the fences. He will not mow any grass where a homeowner has indicated that he will mow it himself and has placed *a white square in the upper right corner of a window visible to the mowing crew*. White squares are available from the MVF Administrative Center, 10120 Apple Ridge Road. Please note the following:

1. There will be no increase or decrease in assessments resulting from the implementation of this policy.
2. If a homeowner wishes to plant trees, shrubs or flowers on community-owned property, he must obtain prior approval from the MVHC.
3. Community Property Improvement Request Forms to be used when requesting approval are available at the MVF Administrative Center.
4. If you wish to maintain the grass area within your lot lines but outside your fence, please return the bottom portion of this page to the Manager for MVHC, P.O. Box 2130, Montgomery Village, MD 20886 or drop it off at the MVF Administrative Center so we might have a record for our reference. A white square will be mailed to you.
5. Please call the 948-0110, ext 347 if you have any questions about this policy or procedures to follow.

ADDRESS _____ PHONE _____



I wish to maintain the property within my lot lines but outside my fence.

SIGNATURE _____ DATE _____

**Middle Village Homes Corporation Community
Property Improvement Request Form**

Owner's Name: _____ Telephone: (H): _____ (W): _____
Property Address: _____

In accordance with the Declaration of Covenants, Conditions and Restrictions referred to in the deed covering the property described above, I/we hereby apply for written consent to make the following alterations to Community Property within **Middle Village Homes Corporation**. Such additions or plantings on Community Property are reviewed by the Homes Corporation Maintenance Committee and approved by the Maintenance Chairman and/or the Board of Directors.

Site location: (please attach sketch or plat plan) _____

Types of Plants or Shrubs: _____

Size: _____

Other Additions: _____

Special or Unusual Maintenance Required: _____

If my application is approved, I fully understand that the approval is only for what I have indicated above and is based upon the facts I have presented. Also, I understand that my contribution becomes community property. Approved alterations or changes must be completed within three (3) months of Homes Corporation approval unless a specific exception is received. Maintenance of approved additions and plantings is the responsibility of the applicant.

All approvals are in conformity with existing architectural and aesthetic conditions within the community. The applicant has the sole responsibility for any damages (to include water damage) to community property or adjoining properties and all other persons which may result from the approval herein requested. Homeowner is responsible for contacting MISS-UTILITY if necessary and for the repair of any damage to the greenspace.

Note: If it is necessary to have materials delivered for the construction of the proposed addition/modification, it should be known that the greenspace or community property belongs to your homes corporation and, therefore, if any damage is incurred in the delivery of these materials, it is the responsibility of the homeowner to assume the cost of the repair.

Return to: **Middle Village Homes Corporation**, Maintenance Chairperson, c/o Montgomery Village Foundation, 10120 Apple Ridge Road, Montgomery Village, MD 20886

Signature: _____ **Date:** _____
Applicant

Approved

Disapproved

By: _____ **Date:** _____
Maintenance Chairperson/Board Member

*Adopted 1981, Updated 7/21/00
Reaffirmed 7/17/07, 3/17/09*