

Policy Resolution – Member in Good Standing

Within the The Master Declaration of Protective Covenants for River Valley Ranch, Article 4.9 Submission of Plans, Specifications and Data reads:

Prior to commencement of work to accomplish any proposed Improvements, the Owner proposing to make such improvements shall submit to the Development Review Committee such descriptions, surveys, plot plans, excavation plans, drainage plans, elevation drawings, construction plans, landscaping plans, specifications, and samples of materials and colors as the Development Review Committee shall reasonably request showing among other things the nature, kind, shape, height, width, color, materials, and location of the proposed Improvements. The Owner shall also inform the Development Review Committee of the identity of the Owner's proposed Builder. All submissions shall conform to and be in accordance with the Master Development Guidelines established pursuant to Section 4.6. The Owner shall be entitled to receive a receipt for the same from the Development Review Committee or its authorized agent. The Development Review Committee may require submission of additional plans, specifications, or other information prior to approving or disapproving the proposed Improvements. Until receipt by the Development Review Committee of all required information and materials in connection with the proposed Improvements and Builder, the Development Review Committee may postpone review of the application.

Proposed:

Whereas, the Executive Board of the River Valley Ranch Master Association, hereinafter referred to as RVRMA, is empowered to adopt Master Rules and Regulations of the Homeowner Association pursuant to Article 9.9 of the Master Declaration of Protected Covenants for River Valley Ranch.

Whereas, Article 4.9 - Submission of Plans, Specifications and Data is silent on Owner/Member (hereinafter referred to as "Member") requirements to be members in good standing in order to make such improvements.

Whereas, it is the intent that this Policy Resolution shall be applicable to all Members who are proposing to make improvements to a Lot or Unit, constitute a Master Rule and Regulation, and shall remain in effect until otherwise rescinded, modified, or amended by a vote of a majority of the Executive Board.

Now, therefore be it resolved that the following Policy Resolution to Article 4.9 Submission of Plans, Specifications and Data is hereby adopted by the Executive Board:

1. Prior to commencement of work to accomplish any proposed Improvements, the Member proposing to make such improvements, must be a Member in good standing. As used herein, "good standing" shall mean and refer to (a) a Member who is not delinquent in the payment of any assessment or fee levied by the Association against the member or any property owned by the Member, or any interest, late charges, costs or reasonable attorney's fees added to such assessment pursuant to the provisions of the Declarations or as provided by law, unless the Member has entered into an agreement with the RVRMA for the payment of all sums due and the Member is not in default of the agreement, (b) a Member who does not have any condition on property owned by that Member and/or related parties to that Member which violates any provision of the Declaration for which formal notification of noncompliance has been issued by the RVRMA, or beyond.
2. In such cases where owner/builder has history of non-compliance during building process, the Design Review Committee has the right to require a greater Damage and Performance Deposit for that Owner/Builder. The Owner/ builder may appeal the amount requested before the Executive Board.