

**South Riding Proprietary, Inc.  
Regulatory Resolution No. R2005-1**

**Designation of Reserved Common Area and Parking Space Use Policy for Sections 49, 50  
and 51**

**WHEREAS**, Article 1, Section 1.1 (11) of the South Riding Proprietary (Association) Declaration defines "Common Area" as "at any given time, all of the Property then owned by the Association and available to the Association for the benefit, use and enjoyment of the Owners"; and

**WHEREAS**, Article 1, Section 1.1 (11a) of the Declaration defines "Reserved Common Area" as "a portion of the Common Area for which the Board of Directors has granted a revocable license for exclusive use pursuant to Section 3.8"; and

**WHEREAS**, Article 2, Section 2.3 of the Declaration states that the Board of Directors shall have the right to regulate use of the Common Area pursuant to Section 8.3 and to charge fees for the use of Common Area; and

**WHEREAS**, Article 3 Section 3.6 of the Declaration states that the Declarant, during the Development Period, and each Owner are hereby granted a non-exclusive right and easement of use and enjoyment in common with others of the Common Area and Trails, except as limited by the designation of Limited Common Area or Reserved Common Area...; and

**WHEREAS**, Article 8 Section 8.3 of the Declaration states that the Board of Directors shall have the power to adopt, amend and repeal Rules and Regulations restricting and regulating the use and enjoyment of the Property of any portion thereof and the actions of the Owners and occupants which affect the Property, which may supplement, but may not be inconsistent with the provisions of the Association Documents; and

**WHEREAS**, Article 7, Section 7.6 states that all parking spaces located in the Common Area (except for those portions designated as Limited Common Area) shall be used by the Owners for self-service parking purposes on a "first come, first served" basis, except as the Board of Directors may otherwise determine or as may be otherwise stated with respect to Additional Land in a Supplementary Declaration adding such Additional Land and in accordance with such reasonable Rules and Regulations regulating the same as the Board of Directors may adopt... provided, however, the Board of Directors may limit the number of parking spaces used by one Owner, assign parking spaces as Reserved Common Area or designate guest parking; and

**WHEREAS**, the Board has determined that it is desirable to designate a certain portion of the Common Area in Section 49 as Reserved Common Area in order to make a determinate number of parking spaces available to Owners in Sections 49, 50 and 51 for the exclusive use of such Owners.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that the Board designates that portion of the Common Area described in Exhibit A to this Resolution as Reserved Common Area and adopts the following policy with respect to use of the Common Area parking spaces within such Reserved Common Area:

1. Establish an annual program administration fee of \$40.00 per parking space to be paid by lot owners applying for a reserved parking space during the initial and subsequent registration periods. This fee may be increased as deemed necessary by the Board. There will be no refunds of this fee once the program is in place. Parking permits/tags are transferable to new residents of a home and is to be managed by the homeowner.

Open a 14 day registration period and notify all residents and homeowners in Sections 49, 50 and 51 that should the resident want to reserve one parking space for their vehicle, they will need to complete the registration form, sign the agreement and include full payment.

3. One parking space will be reserved per lot owner's request on a first come first served basis and will be assigned by staff.
4. In the event that there are more than 52 applications for reserved parking spaces received within the designated 14 day period, then this entire program will be cancelled in order to abide by the non discrimination aspects of use of Reserved Common Area. The annual program administration fee will be returned to each applicant if the program is cancelled.
5. Staff will determine, based on the number of spaces remaining and the take rate of the first registration period whether to open a second phase of registration for another 14 day period to permit residents to reserve a second parking space.
6. In the event that there are more applications than remaining spaces within the Reserved Common Area, then this second phase of registration and reservation will be cancelled in order to abide by the non discrimination aspects of use of Reserved Common Area.
7. Staff will assign and issue vehicle parking permits to lot owners who have been assigned a parking space. Permits will include an expiration date and parking space number.
8. Staff will post appropriate signage to designate the reserved parking area and will mark on the top of the curb the section and space number for each reserved space that will be assigned to a home (lot).
9. An annual open season registration period will be established by staff for the purpose of registering for reserved parking spaces in subsequent years.
10. Reserved Common Area parking spaces are subject to the same requirements, rules and regulations as Common Area parking as outlined in Regulatory Resolution R2002-2: Parking Regulations and Enforcement Procedures.
11. The Board of Directors has the right to revoke reserved spaces or discontinue this parking policy for any reason.

**Exhibit A**  
**(Description of Reserved Common Area)**

All 52 delineated common area parking spaces on Shaler Street existing between Firelight Alley and Crossfield Drive within Section 49, South Riding.

## South Riding Proprietary Resolutions Action Record

Resolution Type: Regulatory      No. R2005-1

Pertaining to: Designation of Reserved Common Area

Duly adopted at a meeting of the Board of Directors held April 7, 2005

Motion by: Mr. Narasimhan      Seconded by: Mrs. Bacak

	YES	NO	VOTE: ABSTAIN	ABSENT
<u>Mr. Harris</u>	X			
<u>Mrs. Bacak</u>	X			
<u>Mr. Narasimhan</u>	X			
<u>Mrs. Horne</u>	X			
<u>Mr. Anderson</u>				X
<u>Mr. Ceresa</u>	X			
<u>Mrs. McArthur</u>	X			
<u>Mr. Nosal</u>	X			
<u>Mr. Salmon</u>	X			

ATTEST:

\_\_\_\_\_  
President

\_\_\_\_\_  
Date

FILE:

Book of Minutes - 2005

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General	_____	_____

Resolution effective: April 7, 2005