

**STRATHMEADE SQUARE COMMUNITY ASSOCIATION, INC.
AMENDMENT TO THE AMENDED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS**

VOTING/RATIFICATION FORM

Declaration Amendment #1

Description: The proposed amendment would restore the Board's ability to impose monetary penalties against an Owner when an Owner, their tenant, or the Owner's or tenant's family members, guests, or other invitees fail to comply with the terms of the Declaration, Bylaws, and rules and regulations of the Association. Before a court decision in 2011 that applied only to Fairfax County, it was understood that homeowners' associations could impose such charges if they were permitted by the association's by-laws, as they still can outside Fairfax County. This amendment to the Declaration would restore that authority in Strathmeade Square. Before imposing any charges, the Owner would be afforded notice and a hearing before the Board or other committee as required under Section 55.1-1819 of the Virginia Property Owners Association Act. The Property Owner's Association Act currently limits violation charges to \$50.00 for a single violation or \$10.00 per day for a continuing violation, for a maximum of 90 days.

Please indicate your vote after the proposed amendment by marking the appropriate box on the back of this page:

Add the following sentence to the end of Article X, Section 1 (Enforcement) of the Declaration:

Furthermore, the failure of an Owner or their tenant or such Owner's or tenant's family members, guests, or other invitees to comply with any terms of the Declaration, the Bylaws, or rules and regulations of the Association shall subject the Owner to other penalties that may be established by resolution of the Board of Directors, including without limitation, the imposition of monetary penalties in accordance with the Virginia Property Owners Association Act. Such charges will be treated as an assessment and collectible as such.

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[VOTE AND RATIFICATION APPEARS ON FOLLOWING PAGE]

- ☐ **FOR** Declaration Amendment #1.
- ☐ **AGAINST** Declaration Amendment #1.

I/We, the undersigned owner(s) of a Lot within the Strathmeade Square Community Association having an address of _____ hereby vote as detailed above on Declaration Amendment #1 to the Amended Declaration of Covenants, Conditions and Restrictions.

I/We the signatories below are duly authorized to execute this ratification form on behalf of the above-referenced Lot.

ALL LOT OWNERS FOR THE LOT MUST SIGN AND DATE BELOW.

Date

Signature

Print Name

Date

Signature

Print Name

Please return this completed signed and dated form by email to kbuck@reesbroome.com or via mail or hand delivery to:

Strathmeade Square Community Association
c/o Rees Broome, P.C.
Attention: Kristen Buck, Esq.
1900 Gallows Rd., Ste. 700
Tysons Corner, VA 22182

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VOTING/RATIFICATION FORM

Declaration Amendment #2

Description: The amendment proposed below is designed to clarify what the Board will consider “satisfactory” maintenance and what might constitute noxious or offensive activity. Article VIII of the Declaration requires an Owner to maintain their premises and the improvements in a manner satisfactory to the Board of Directors and, in the event the Owner fails to do so, the Board is authorized to exercise self-help to repair, maintain, and restore the Lot at the cost of the Owner. And, Article IX, Paragraph 4 prohibits noxious and offensive activity on the Property.

Please indicate your vote after the proposed amendment by marking the appropriate box on the back of this page:

Amend Article IX, Paragraph 4 (Use Restrictions) of the Declaration to add the following paragraph:

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 Properties or of any portion thereof and the actions of the Owners and occupants which affect the Properties. Additionally, each Owner shall provide for the upkeep of their Lot to include the grounds, landscaping, improvements, and structures thereon, which shall be kept in good order, condition, and repair and in a clean and sanitary manner. The term ‘upkeep’ includes, without limitation, maintenance, repair, repainting, restoration, renovation, replacement, and reconstruction. All upkeep shall be performed pursuant to the standards set forth in any rules and regulations adopted by the Board of Directors.

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[VOTE AND RATIFICATION APPEARS ON FOLLOWING PAGE]

- ☐ **FOR** Declaration Amendment #2.
- ☐ **AGAINST** Declaration Amendment #2.

I/We, the undersigned owner(s) of a Lot within the Strathmeade Square Community Association having an address of _____ hereby vote as detailed above on Declaration Amendment #2 to the Amended Declaration of Covenants, Conditions and Restrictions.

I/We the signatories below are duly authorized to execute this ratification form on behalf of the above-referenced Lot.

ALL LOT OWNERS FOR THE LOT MUST SIGN AND DATE BELOW.

Date

Signature

Print Name

Date

Signature

Print Name

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Declaration Amendment #5

Description: The proposed amendment is designed to enhance the Board's authority to regulate the use of the property for a home-based business by allowing a home office or business with certain restrictions relative to equipment, signs, parking, etc. Currently, Section 55.1-1821 of the Virginia Property Owners Association Act provides that except to the extent the declaration provides otherwise, no association shall prohibit any lot owner from operating a home-based business within his personal residence. The Association may, however, establish (i) reasonable restrictions as to the time, place, and manner of the operation of a home-based business and (ii) reasonable restrictions as to the size, place, duration, and manner of the placement or display of any signs on the Owner's Lot related to such home-based business. Any home-based business shall comply with all applicable local ordinances.

Please indicate your vote after the proposed amendment by marking the appropriate box on the back of this page:

Amend Article IX, Paragraph 1 (Use Restrictions) of the Declaration to add the following paragraph.

No Lot shall be used for any business, commercial, manufacturing, mercantile, storage, sales, or other similar purpose; provided, however, that an Owner may maintain an office or home business in the dwelling located on such Owner's Lot if: (i) such office or home business is operated by a member of the Owner's household residing on the Lot; (ii) there are no displays or signs indicating that the Lot is being used other than as a residence; (iii) such office or home based business does not generate significant traffic or parking usage (as determined by the Board) by clients, customers, or other persons related to the business; (iv) no equipment or other items related to the business are stored, parked, or otherwise kept on the Lot or Properties outside of an enclosure approved by the Board or its designated committee; (v) such Owner or occupant has obtained the required approvals, insurance, and licenses for such use from the appropriate local governmental agency; and (vi) the activity is consistent with the residential nature of the Properties and complies with all laws, ordinances, and regulations governing the Property. As a condition to such use, the Board may require the Owner to pay an increase in the rate of insurance, trash removal, utilities, or other costs of the Association which may result from such use.

[VOTE AND RATIFICATION APPEARS ON FOLLOWING PAGE]

- ☐ **FOR** Declaration Amendment #5.
- ☐ **AGAINST** Declaration Amendment #5.

I/We, the undersigned owner(s) of a Lot within the Strathmeade Square Community Association having an address of _____ hereby vote as detailed above on Declaration Amendment #5 to the Amended Declaration of Covenants, Conditions and Restrictions.

I/We the signatories below are duly authorized to execute this ratification form on behalf of the above-referenced Lot.

ALL LOT OWNERS FOR THE LOT MUST SIGN AND DATE BELOW.

Date

Signature

Print Name

Date

Signature

Print Name

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Declaration Amendment #9

Description: The proposed amendment would better clarify what privileges can be suspended for nonpayment of assessments.

Please indicate your vote after the proposed amendment by marking the appropriate box on the back of this page:

Amend Article IV, Section 1(d) (Member's Easements of Enjoyment) of the Declaration as set forth below. Deleted words are indicated by a ~~striketrough~~ and new words are underlined.

(d) the right of the Association to suspend the voting rights and right to use of the recreational facilities and the right to park in any parking space (other than the one assigned to the Owner) by a member for any period during which any assessment against the Owner's ~~his~~ Lot remains unpaid; and for a period not to exceed 90 days for any infraction of its published rules and regulations;

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[VOTE AND RATIFICATION APPEARS ON FOLLOWING PAGE]

- ☐ **FOR** Declaration Amendment #9.
- ☐ **AGAINST** Declaration Amendment #9.

I/We, the undersigned owner(s) of a Lot within the Strathmeade Square Community Association having an address of _____ hereby vote as detailed above on Declaration Amendment #9 to the Amended Declaration of Covenants, Conditions and Restrictions.

I/We the signatories below are duly authorized to execute this ratification form on behalf of the above-referenced Lot.

ALL LOT OWNERS FOR THE LOT MUST SIGN AND DATE BELOW.

Date

Signature

Print Name

Date

Signature

Print Name

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