



## MULCAHY LAW FIRM, P.C.

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September 24, 2018

**Re: Rogers Ranch Unit 5 Parking Reminder**

Dear Homeowner,

I am general counsel attorney for Rogers Ranch Unit 5 Homeowners Association (“Association”). The Association requested that I contact you regarding a reminder on the Association’s parking policies.

Pursuant to Section 6.25 of the Association’s Declaration,

[i]t is the intent of Declarant to eliminate on-street parking as much as possible in The Property. Vehicles shall be kept in garages, residential driveways, carports, other designated parking areas approved by the Committee. No vehicle may be parked on a street at any time, except for temporary on-street parking by guests. No vehicle may be parked on a street overnight. The Association may adopt additional parking restrictions and may establish fines and assessments for their violation, and/or may elect to tow vehicles at the expense of the owner.

Pursuant to Section 6.26 of the Association’s Declaration,

[n]o truck (other than a Family Vehicle truck as defined below), mobile home, bus, travel trailer, tent trailer, trailer, camper shell, detached camper, recreational vehicle, boat, boat trailer, or other similar equipment or vehicle (hereinafter “Commercial Vehicles”) may be parked, maintained, constructed, reconstructed or repaired on any Lot or Common Area (including driveways or Public Yards of Lots and any Common Area streets) so as to be Visible from Neighboring Property without the prior written approval of the Board, except for (i) the temporary parking of any Commercial Vehicle on a Lot or street for loading and unloading for a period of not more than twenty-four (24) consecutive hours; (ii) temporary construction trailers or facilities maintained during, and used exclusively in connection with, the construction of any improvement by the Declarant or any improvement approved by the Board; and (iii) Commercial Vehicles parked completely within enclosed Dwelling Unit garages. A “Family Vehicle” means any domestic or foreign car, station wagon, sport wagon, pick-up truck of less than one (1) ton capacity with camper shells not exceeding eight (8) feet in height measured from ground level, mini-van, jeep, sport utility vehicle, motorcycle and similar non-commercial and non-recreational vehicles that are used by a Resident for family and domestic purposes and which are used on a regular and recurring basis for basic transportation. The Board, may, acting in good faith, designate a Commercial Vehicle as a Family Vehicle, if, prior to use, the Resident

petitions the Board to classify the same as a Family Vehicle and the parking of such Vehicle on a Lot will not adversely affect the Property or the Residents.

Pursuant to Section 6.27 of the Association's Declaration,

[n]o automobile, motorcycle, motorbike or other motor vehicle shall be constructed, reconstructed or repaired upon any Lot, Parcel or street in the Property, and no inoperable vehicle may be stored or parked on any such Lot or Parcel so as to be Visible From Neighboring Property or on any street; provided, however, that the provisions of this Section shall not apply to: (a) emergency repair of vehicles or (b) the storage of such vehicles in an area approved for such use by the Board or Committee.

Pursuant to Section 6.28 of the Association's Declaration,

[t]he Board shall have the right to have any vehicle which is parked, kept, maintained, constructed, reconstructed or repaired in violation of this Declaration towed away at the sole cost and expense of the owner of the vehicle. Any expense incurred by the Association in connection with the towing of any vehicle shall be paid upon demand to the Association by the owner of the vehicle as an Enforcement Assessment. If the vehicle is owned by an Owner, any amounts payable to the Association shall be secured by the Assessment Lien, and the Association may enforce collection of such amounts in the manner provided in this Declaration for the collection of Assessments.

This letter provides notice that the Board will be towing any vehicles in violation of these sections of the Declaration. Please familiarize yourself with these restrictions immediately.

Thank you for your anticipated cooperation in this matter.

Sincerely,

Beth Mulcahy  
BM/pm

Cc: Rogers Ranch Unit 5 Homeowners Association