

BOOK -- 26 PAGE 436

AMENDMENT
TO HOMEOWNERS DISCLOSURE
STATEMENT FOR

HERITAGE HARBOUR
COMMUNITY ASSOCIATION, INC.
(Annapolis)

RECEIVED
FEB 11 2004
FEB 11 2004
FEB 11 2004
FEB 11 2004

For deposit with the Circuit Court for Anne Arundel County this 24th day of October, 2003.

1. AMENDMENT 1 to ADMINISTRATIVE RESOLUTION NO. 8 - Financial and Accounting Procedures - inserting new Section VI.C. (Approved October 14, 2003).
- ✓ 2. AMENDMENT 3 to POLICY RESOLUTION NO. 3 - Imposition of Sanctions - revising Section 1.B.2. (Approved October 14, 2003).

Return original to : *Heritage Harbour Community Association, Inc.*
959 River Strand Loop
Annapolis, Maryland 21401

Return certified copy to: *Kathleen M. Elmore, Esquire*
5 Riggs Avenue
Severna Park, Maryland 21146
(410) 544-6644

HERITAGE HARBOUR COMMUNITY ASSOCIATION, INC.**POLICY RESOLUTION NO. 3
AMENDMENT 3****IMPOSITION OF SANCTIONS**

WHEREAS, Article V, Section 2, of the By-Laws of the Heritage Harbour Community Association, Inc. (the Association) provides that the Board of Directors of the Association shall have all the powers and duties necessary for the administration of the affairs of the Association to include the promulgation and enforcement of such rules and regulations or such restrictions or requirements as may be deemed proper respecting the use, occupancy and maintenance of the common area and community facilities by the members; and

WHEREAS, Article IV, Section 3, of the Declaration and Covenants of Heritage Harbour (the Declaration) provides that the Association, acting by and through its Board of Directors, have the right to enforce the Declaration, By-Laws and duly authorized regulations by imposing sanctions on the non-complying members, including but not limited to suspending voting rights and the rights to use Common Areas and Community Facilities; and

WHEREAS, by Policy Resolution No.1 the Board of Directors set forth its authority and intention to establish policies and procedures deemed necessary for the efficient and effective administration of the Association and for carrying out the affairs of the Association.

WHEREAS, on June 9, 1998, the Board of Directors adopted Policy Resolution No. 3 to establish policies and procedures for the imposition of sanctions on members for non-payment of assessments and other charges and for non-compliance with duly established rules and regulation; and

WHEREAS, the Board of Directors desires to revise the charges applied to past due accounts.

NOW, THEREFORE, BE IT RESOLVED THAT Policy Resolution No. 3 is amended as follows.

Section I. B. 2 is revised to read:

2. The Management Agent shall, without further approval by the Board of Directors, take the following actions with members whose payments are past due.

a. If the account has a debit balance on the fifteenth day of the current month, send a reminder letter to the member requesting payment in full and advising that a late charge

has been added to the amount due. The amount of the late charge shall be ten percent (10%) of the amount due, rounded to the nearest dollar.

b. If the account has a debit balance on the fifteenth day of the following month, send a demand notice to the member advising that an additional collection fee has been added to the amount due and that the account will be referred to an attorney for collection without further notice if not paid in full by the end of the current month. The amount of the collection fee shall be equal to the amount charged by the Management Agent for issuing the demand notice. As provided in the Declaration and in accordance with state and county law, the attorney may proceed to file a lien on the property and the member will be responsible for interest from the due date and all costs and fees associated with collection.

Yes No Abstain

ABSENT

Marguerite F. Garlick, District 1

Janet Everette
Janet Everette, District 2

Edward Elliott
Edward Elliott, District 3

Michele Ryan Crofoot
Michele Crofoot, District 4

Charles Kennedy
Charles Kennedy, District 5

John Davis
John Davis, District 6

Arthur A. Rudmann
Arthur Rudmann, District 7

Yes	No	Abstain
✓		
✓		
✓		
✓		
✓		

Amendment 1 to Administrative Resolution No. 8 was duly approved at a regular meeting of the Board of Directors on October 14, 2003.

Robert N. Bartel
Robert N. Bartel, Secretary, Heritage Harbour Community Association, Inc.

BOOK -- 26 PAGE 436

**AMENDMENT
TO HOMEOWNERS DISCLOSURE
STATEMENT FOR**

**HERITAGE HARBOUR
COMMUNITY ASSOCIATION, INC.
(Annapolis)**

RECORDING FEE
20.00
RECORDING FEE
20.00
REC'D ANNE
OCT 1 3 30 03
REC'D ANNE
OCT 1 4 00 03
OCT 1 4 00 03

For deposit with the Circuit Court for Anne Arundel County this 24th day of October, 2003.

1. AMENDMENT 1 to ADMINISTRATIVE RESOLUTION NO. 8 - Financial and Accounting Procedures - inserting new Section VI.C. (Approved October 14, 2003).
- ✓ 2. AMENDMENT 3 to POLICY RESOLUTION NO. 3 - Imposition of Sanctions - revising Section 1.B.2. (Approved October 14, 2003).

Return original to : *Heritage Harbour Community Association, Inc.*
959 River Strand Loop
Annapolis, Maryland 21401

Return certified copy to: *Kathleen M. Elmore, Esquire*
5 Riggs Avenue
Severna Park, Maryland 21146
(410) 544-6644

10300.000/001

HERITAGE HARBOUR COMMUNITY ASSOCIATION, INC.**POLICY RESOLUTION NO. 3
AMENDMENT 3****IMPOSITION OF SANCTIONS**

WHEREAS, Article V, Section 2, of the By-Laws of the Heritage Harbour Community Association, Inc. (the Association) provides that the Board of Directors of the Association shall have all the powers and duties necessary for the administration of the affairs of the Association to include the promulgation and enforcement of such rules and regulations or such restrictions or requirements as may be deemed proper respecting the use, occupancy and maintenance of the common area and community facilities by the members; and

WHEREAS, Article IV, Section 3, of the Declaration and Covenants of Heritage Harbour (the Declaration) provides that the Association, acting by and through its Board of Directors, have the right to enforce the Declaration, By-Laws and duly authorized regulations by imposing sanctions on the non-complying members, including but not limited to suspending voting rights and the rights to use Common Areas and Community Facilities; and

WHEREAS, by Policy Resolution No.1 the Board of Directors set forth its authority and intention to establish policies and procedures deemed necessary for the efficient and effective administration of the Association and for carrying out the affairs of the Association.

WHEREAS, on June 9, 1998, the Board of Directors adopted Policy Resolution No. 3 to establish policies and procedures for the imposition of sanctions on members for non-payment of assessments and other charges and for non-compliance with duly established rules and regulation; and

WHEREAS, the Board of Directors desires to revise the charges applied to past due accounts.

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- a. If the account has a debit balance on the fifteenth day of the current month, send a reminder letter to the member requesting payment in full and advising that a late charge

has been added to the amount due. The amount of the late charge shall be ten percent (10%) of the amount due, rounded to the nearest dollar.

b. If the account has a debit balance on the fifteenth day of the following month, send a demand notice to the member advising that an additional collection fee has been added to the amount due and that the account will be referred to an attorney for collection without further notice if not paid in full by the end of the current month. The amount of the collection fee shall be equal to the amount charged by the Management Agent for issuing the demand notice. As provided in the Declaration and in accordance with state and county law, the attorney may proceed to file a lien on the property and the member will be responsible for interest from the due date and all costs and fees associated with collection.

	Yes	No	Abstain
<u>ABSENT</u>			
<u>Marguerite F. Garlick, District 1</u>			
<u>Janet Everette</u> Janet Everette, District 2	✓		
<u>Edward Elliott</u> Edward Elliott, District 3	✓		
<u>Michele Ryan Crofoot</u> Michele Crofoot, District 4	✓		
<u>Charles Kennedy</u> Charles Kennedy, District 5	✓		
<u>John Davis</u> John Davis, District 6	✓		
<u>Arthur C. Rudmann</u> Arthur Rudmann, District 7	✓		

Amendment 1 to Administrative Resolution No. 8 was duly approved at a regular meeting of the Board of Directors on October 14, 2003.

Robert N. Bartel
Robert N. Bartel, Secretary, Heritage Harbour Community Association, Inc.

**AMENDMENT
TO HOMEOWNERS DISCLOSURE
STATEMENT FOR**

**HERITAGE HARBOUR COMMUNITY
COMMUNITY ASSOCIATION, INC.
(Annapolis)**

RECORDING FEE 23.00
TOTAL 23.00
Rpt # AA13 Rpt # 44564
RFD KB BIN # 3818
Oct 24, 2000 01:12 PM

RECEIVED FOR RECORD
CIRCUIT COURT, A.A. COUNTY
00 OCT 24 PM 1:05

For deposit with the Circuit Court for Anne Arundel County this 24th day of October, 2000.

1. Policy Resolution No. 2 - Amendment 1 - Board of Directors Policies - Approved October 10, 2000
- ✓ 2. Policy Resolution No. 3 - Amendment 2 - Imposition of Sanctions - Approved October 10, 2000

Return to: *Heritage Harbour Community Association, Inc.*
959 River Strand Loop
Annapolis, Maryland 21401

10/24/00/10300.001

By: *Elmore & Associates, P.A.*

HERITAGE HARBOUR COMMUNITY ASSOCIATION, INC.**POLICY RESOLUTION NO. 3
AMENDMENT 2****IMPOSITION OF SANCTIONS**

WHEREAS, on June 9, 1998, the Board of Directors adopted Policy Resolution No. 3 to establish policies and procedures for the imposition of sanctions on members for non-payment of assessment and other charges and for non-compliance with duly established rules and regulations; and

WHEREAS, on April 13, 1999, the Board of Directors amended Section I,B,2 of this Resolution to revise the collections procedures and approved a restated Policy Resolution to incorporate this amendment; and

WHEREAS, by amendment to the Maryland Homeowners Association Act, § 11B-112.1 was added to establish limitations on late charges for delinquent assessments or installments.

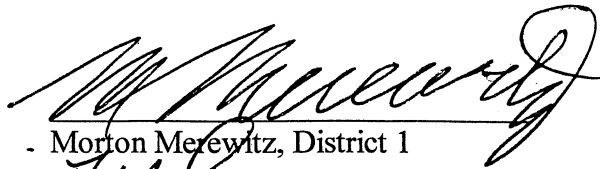
RESOLVED, that the following amendment is made to the Policy Resolution to be consistent with the statutory requirements of the Maryland Homeowners Association Act, as amended.

Section I. A. 2 is revised to read:

2. Assessments are due and payable, in advance, on the first day of each month. Other charges are due and payable when billed.

Section I. B. 2 is revised to read:

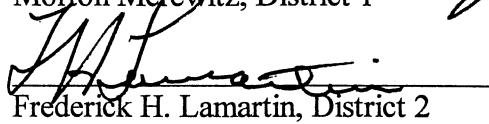
2. The Management Agent shall, without further approval by the Board of Directors, take the following actions with members whose payments are past due.
 - a. If the account has a debit balance on the fifteenth day of the current month, send a reminder letter to the member requesting payment in full and advising that a five-dollar (\$5.00) late charge has been added to the amount due.
 - b. If the account has a debit balance on the fifteenth day of the following month, send a demand notice to the member advising that an additional twenty-five dollar (\$25.00) collection fee has been added to the amount due and that the account will be referred to an attorney for collection without further notice if not paid in full by the end of the current month. As provided in the Declaration and in accordance with state and county law, the attorney may proceed to file a lien on the property and the member will be responsible for interest from the due date and all costs and fees associated with collection.


Morton Merewitz, District 1

Yes ☒

No ☐

Abstain ☐


Frederick H. Lamartin, District 2

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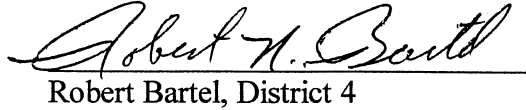
ABSENT

Edward Elliott, District 3

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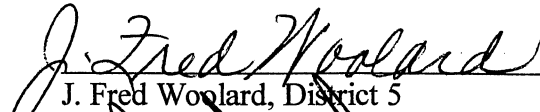
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Robert Bartel, District 4

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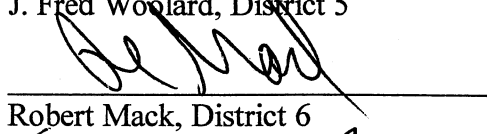
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J. Fred Woolard, District 5

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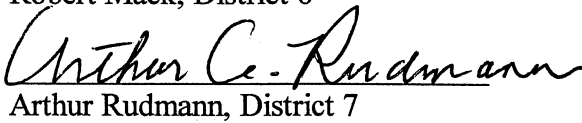
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Robert Mack, District 6

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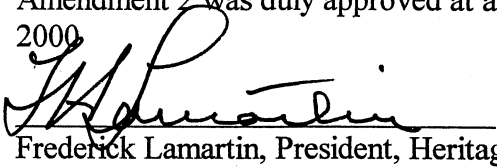

Arthur Rudmann, District 7

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Amendment 2 was duly approved at a regular meeting of the Board of Directors on October 10, 2000.


Frederick Lamartin, President, Heritage Harbour Community Association, Inc.

**AMENDMENT
TO HOMEOWNERS DISCLOSURE
STATEMENT FOR**

**HERITAGE HARBOUR COMMUNITY
COMMUNITY ASSOCIATION, INC.
(Annapolis)**

RECORDING FEE 25.00
TOTAL 25.00
Reg# AA13 Rct# 44564
RFD KB ZIN 4 3015
Oct 24, 2000 01:12 PM

RECEIVED FOR RECORD
CIRCUIT COURT, A.A. COUNTY
00 OCT 24 PM 1:05

For deposit with the Circuit Court for Anne Arundel County this 24th day of October, 2000.

1. Policy Resolution No. 2 - Amendment 1 - Board of Directors Policies - Approved October 10, 2000
2. Policy Resolution No. 3 - Amendment 2 - Imposition of Sanctions - Approved October 10, 2000

Return to: *Heritage Harbour Community Association, Inc.*
959 River Strand Loop
Annapolis, Maryland 21401

10/24/00/10300.001

By: *Elmore & Associates, P.A.*

HERITAGE HARBOUR COMMUNITY ASSOCIATION, INC.**POLICY RESOLUTION NO. 3
AMENDMENT 2****IMPOSITION OF SANCTIONS**

WHEREAS, on June 9, 1998, the Board of Directors adopted Policy Resolution No. 3 to establish policies and procedures for the imposition of sanctions on members for non-payment of assessment and other charges and for non-compliance with duly established rules and regulations; and

WHEREAS, on April 13, 1999, the Board of Directors amended Section I,B,2 of this Resolution to revise the collections procedures and approved a restated Policy Resolution to incorporate this amendment; and

WHEREAS, by amendment to the Maryland Homeowners Association Act, § 11B-112.1 was added to establish limitations on late charges for delinquent assessments or installments.

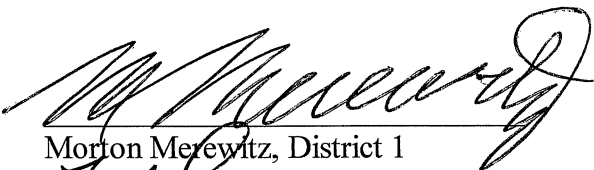
RESOLVED, that the following amendment is made to the Policy Resolution to be consistent with the statutory requirements of the Maryland Homeowners Association Act, as amended.

Section I. A. 2 is revised to read:

2. Assessments are due and payable, in advance, on the first day of each month. Other charges are due and payable when billed.

Section I. B. 2 is revised to read:

2. The Management Agent shall, without further approval by the Board of Directors, take the following actions with members whose payments are past due.
 - a. If the account has a debit balance on the fifteenth day of the current month, send a reminder letter to the member requesting payment in full and advising that a five-dollar (\$5.00) late charge has been added to the amount due.
 - b. If the account has a debit balance on the fifteenth day of the following month, send a demand notice to the member advising that an additional twenty-five dollar (\$25.00) collection fee has been added to the amount due and that the account will be referred to an attorney for collection without further notice if not paid in full by the end of the current month. As provided in the Declaration and in accordance with state and county law, the attorney may proceed to file a lien on the property and the member will be responsible for interest from the due date and all costs and fees associated with collection.

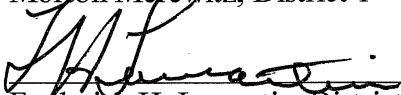


Morton Merewitz, District 1

Yes ☒

No ☐

Abstain ☐


Frederick H. Lamartin, District 2

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ABSENT

Edward Elliott, District 3

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Robert Bartel, District 4

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J. Fred Woolard, District 5

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Robert Mack, District 6

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Arthur Rudmann, District 7

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Amendment 2 was duly approved at a regular meeting of the Board of Directors on October 10, 2000.


Frederick Lamartin, President, Heritage Harbour Community Association, Inc.

**AMENDMENT
TO HOMEOWNERS DISCLOSURE
STATEMENT FOR**

**HERITAGE HARBOUR COMMUNITY
COMMUNITY ASSOCIATION, INC.
(Annapolis)**

Note, correction to cover page of April 22, 1999 filing as follows:

1. **Policy** Administrative Resolution No. 3 - Architectural & Environmental Review Committee
(April 13, 1999)

RECORDING FEE 25.00
TOTAL 25.00
Best # AA13 Rpt # 22793
RFD IDA Bkr # 1257
May 07, 1999 01:10 PM

The word Policy is stricken and replaced with the word Administrative.

For deposit with the Circuit Court for Anne Arundel County this 7th day of May, 1999.

- ✓ 1. **Policy** Resolution No. 3 Amendment 1 - Imposition of Sanctions
(April 13, 1999)

Return to: *Elmore & Associates, P.A., Kathleen M. Elmore, Esquire, P. O. Box 6488, Annapolis, Maryland 21401*

05/07/99/10300.001

ANNE ARUNDEL COUNTY
99 MAY -7 PM 1:06

HERITAGE HARBOUR COMMUNITY ASSOCIATION, INC.

**POLICY RESOLUTION NO. 3
AMENDMENT 1**

CLERK 019 PAGE 274

IMPOSITION OF SANCTIONS

²
WHEREAS, Article V, Section ³3, of the By-Laws of the Heritage Harbour Community Association, Inc. (the Association) provides that the Board of Directors of the Association shall have all the powers and duties necessary for the administration of the affairs of the Association to include the promulgation and enforcement of such rules and regulations or such restrictions or requirements as may be deemed proper respecting the use, occupancy and maintenance of the common area and community facilities by the members; and

³
WHEREAS, Article IV, Section ¹1, of the Declaration and Covenants of Heritage Harbour (the Declaration) provides that the Association, acting by and through its Board of Directors, have the right to enforce the Declaration, By-Laws and duly authorized regulations by imposing sanctions on the non-complying members, including but not limited to suspending voting rights and the rights to use Common Areas and Community Facilities; and

WHEREAS, by Policy Resolution No.1 the Board of Directors set forth its authority and intention to establish policies and procedures deemed necessary for the efficient and effective administration of the Association and for carrying out the affairs of the Association.

WHEREAS, on April 13, 1999, the Board of Directors amended Section I,B,2 of this Resolution to revise the collections procedures.

RESOLVED, that the following are the amended and restated policies and procedures for the imposition of sanctions on members for non-payment of assessments and other charges or for non-compliance with duly established rules and regulations.

I. Assessments or Charges Due the Association.

A. Responsibilities for Payment of Assessments or Other Charges.

1. Owners of Lots or Units in Heritage Harbour agree to the payment of assessments as a condition of ownership in the Community. Article VI of the Declaration states, in part, that:

"Each person, group of persons, corporation, trust or other legal entity, or any combination thereof, who becomes an owner of a Lot or Unit, by acceptance of a deed thereof, ... shall agree to pay the Association, in advance, a monthly sum ... equal to one-twelfth (1/12) of the member's proportionate share of the sum required by the Association ... to meet its

annual expenses..."

2. Assessments are due and payable, in advance, on the first day of each month, and shall become past due on the tenth day of the month. Other charges are due and payable when billed.

3. Payments shall be submitted to the Management Agent in the form and manner established by the Management Agent. Any questions concerning payments should be addressed to the Management Agent by calling the Association office.

B. Responsibilities of the Management Agent. The Management Agent shall be responsible for the billing and collection of all payments due the Association.

1. The Management Agent shall advise members of the assessment established by the Board of Directors and provide forms and instructions for submitting payment of the monthly assessment.

2. The Management Agent shall, without further approval by the Board of Directors, take the following actions with members whose payments are past due.

a. If the account has a debit balance on the tenth day of the current month, send a reminder letter to the member requesting payment in full and advising that a five-dollar (\$5.00) processing fee has been added to the amount due.

b. If the account has a debit balance on the tenth of the following month, send a demand notice to the member advising that an additional twenty-five dollar (\$25.00) penalty has been added to the amount due and that the account will be referred to an attorney for collection without further notice if not paid in full by the end of the current month. As provided in the Declaration and in accordance with state and county law, the attorney may proceed to file a lien on the property and the member will be responsible for interest from the due date and all costs and fees associated with collection.

C. Sanctions for Non-payment.

1. Any member more than 60 days delinquent in any payment due the Association, as of the date that votes are taken, shall be ineligible to vote in any meeting of Association members, in any election of Directors, or any balloting of members.

2. In addition, the Board of Directors may impose any of the following sanctions.

a. Prohibit the use of Community Facilities by the member or by the associate member who has been extended the member's privileges, to include the rights to provide inputs to the Heritage Harbour TV and Harbour Lights.

- b. Prohibit the member from being heard at meetings of the Board of Directors.
- c. Require the member to surrender his/her membership card.
- d. Publish the member's name in Harbour Lights or post the member's name in a prominent place in the Lodge.

II. Compliance with Covenants and Regulations.

A. Responsibilities of Members.

1. Members are responsible for compliance with the covenants contained in the Declaration, including the Architectural and Environmental Committee (AERC) requirements, rules and regulations established by the Board of Directors. Non-resident owners shall be responsible for the actions of their tenants.
2. Members may report suspected non-compliance with the covenants contained in the Declaration, including the AERC requirements, rules and regulations established by the Board of Directors. Members should call the On-Site General Manager at the Association office.

B. Responsibility of the Architectural and Environmental Review Committee (AERC).

1. The AERC shall, within its authority provided by the Declaration and in accordance with its guidelines, monitor actions proposed or taken by members or others.
2. The AERC shall investigate any alleged action of non-compliance with its requirements, and make efforts to obtain voluntary compliance to resolve the case in accordance with established AERC procedures.
3. If voluntary compliance cannot be achieved, the AERC shall refer the case, with recommendation, to the Board of Directors.

C. Responsibility of the Management Agent.

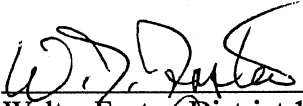
1. The Management Agent is responsible for investigating alleged cases of non-compliance. If necessary, the Management Agent may consult with appropriate committee chairpersons. In cases involving issues within the authority of the AERC, the Management Agent shall refer those cases to the Chairperson of the AERC.
2. If the Management Agent finds a member in non-compliance, the agent shall make efforts to obtain voluntary compliance to resolve the case.
3. If voluntary compliance cannot be achieved, the Management Agent shall refer the case, with recommendation, to the Board of Directors.

D. Sanctions for Non-Compliance.

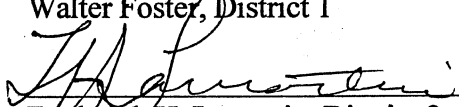
LIBER 019 PAGE 277

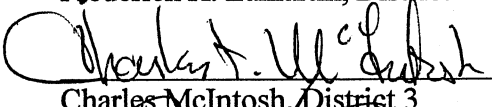
1. The Board of Directors will consider non-compliance cases at a hearing during a closed meeting called for that purpose. The member in non-compliance shall be given an opportunity to address the Board at that meeting. By majority vote, the Board may impose any or all of the sanctions for non-payment and, in addition, may take the following actions.

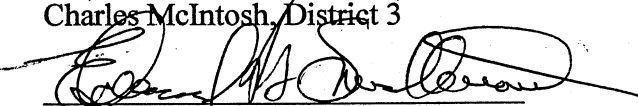
- a. The Board may direct that the Association correct any unapproved construction or alteration, and bill the owner for the cost of the correction.
- b. If the case involves a domestic pet, the Board may determine that the pet is a nuisance and require its removal.
- c. The Board may request the Association's attorney to initiate a civil action under State and County laws.

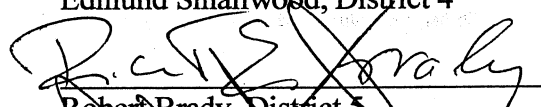

Walter Foster, District 1

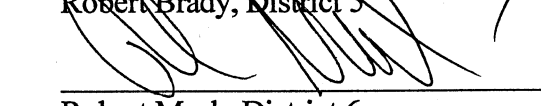
Yes	No	Abstain
☒	☐	☐
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☒	☐	☐
☒	☐	☐
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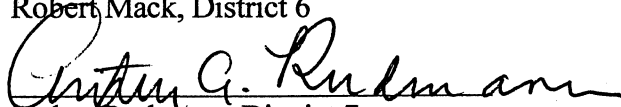

Frederick H. Lamartin, District 2


Charles McIntosh, District 3

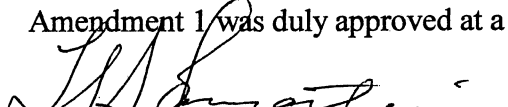

Edmund Smallwood, District 4


Robert Brady, District 5


Robert Mack, District 6


Arthur Rudmann, District 7

Amendment 1 was duly approved at a regular meeting of the Board of Directors on April 13, 1999.


Frederick Lamartin, President, Heritage Harbour Community Association, Inc.

**AMENDMENT
TO HOMEOWNERS DISCLOSURE
STATEMENT FOR**

**HERITAGE HARBOUR COMMUNITY
COMMUNITY ASSOCIATION, INC.
(Annapolis)**

Note, correction to cover page of April 22, 1999 filing as follows:

1. ~~Policy~~ Administrative Resolution No. 3 - Architectural & Environmental Review Committee
(April 13, 1999)

RECORDING FEE 25.00
TOTAL 25.00
Reg# AA13 Rpt # 22733
RPT DCA BIK # 1257
May 07, 1999 01:10 PM

The word Policy is stricken and replaced with the word Administrative.

For deposit with the Circuit Court for Anne Arundel County this 7th day of May, 1999.

1. Policy Resolution No. 3 Amendment 1 - Imposition of Sanctions
(April 13, 1999)

Return to: *Elmore & Associates, P.A., Kathleen M. Elmore, Esquire, P. O. Box 6488, Annapolis, Maryland 21401*

05/07/99/10300.001

ANNE ARUNDEL COUNTY
99 MAY -7 PM 1:06

HERITAGE HARBOUR COMMUNITY ASSOCIATION, INC.

**POLICY RESOLUTION NO. 3
AMENDMENT 1**

INDEX 019 PAGE 274

IMPOSITION OF SANCTIONS

WHEREAS, Article V, Section 3, of the By-Laws of the Heritage Harbour Community Association, Inc. (the Association) provides that the Board of Directors of the Association shall have all the powers and duties necessary for the administration of the affairs of the Association to include the promulgation and enforcement of such rules and regulations or such restrictions or requirements as may be deemed proper respecting the use, occupancy and maintenance of the common area and community facilities by the members; and

WHEREAS, Article IV, Section 1, of the Declaration and Covenants of Heritage Harbour (the Declaration) provides that the Association, acting by and through its Board of Directors, have the right to enforce the Declaration, By-Laws and duly authorized regulations by imposing sanctions on the non-complying members, including but not limited to suspending voting rights and the rights to use Common Areas and Community Facilities; and

WHEREAS, by Policy Resolution No.1 the Board of Directors set forth its authority and intention to establish policies and procedures deemed necessary for the efficient and effective administration of the Association and for carrying out the affairs of the Association.

WHEREAS, on April 13, 1999, the Board of Directors amended Section I,B,2 of this Resolution to revise the collections procedures.

RESOLVED, that the following are the amended and restated policies and procedures for the imposition of sanctions on members for non-payment of assessments and other charges or for non-compliance with duly established rules and regulations.

I. Assessments or Charges Due the Association.

A. Responsibilities for Payment of Assessments or Other Charges.

1. Owners of Lots or Units in Heritage Harbour agree to the payment of assessments as a condition of ownership in the Community. Article VI of the Declaration states, in part, that:

"Each person, group of persons, corporation, trust or other legal entity, or any combination thereof, who becomes an owner of a Lot or Unit, by acceptance of a deed thereof, ... shall agree to pay the Association, in advance, a monthly sum ... equal to one-twelfth (1/12) of the member's proportionate share of the sum required by the Association ... to meet its

annual expenses... "

2. Assessments are due and payable, in advance, on the first day of each month, and shall become past due on the tenth day of the month. Other charges are due and payable when billed.

3. Payments shall be submitted to the Management Agent in the form and manner established by the Management Agent. Any questions concerning payments should be addressed to the Management Agent by calling the Association office.

B. Responsibilities of the Management Agent. The Management Agent shall be responsible for the billing and collection of all payments due the Association.

1. The Management Agent shall advise members of the assessment established by the Board of Directors and provide forms and instructions for submitting payment of the monthly assessment.

2. The Management Agent shall, without further approval by the Board of Directors, take the following actions with members whose payments are past due.

a. If the account has a debit balance on the tenth day of the current month, send a reminder letter to the member requesting payment in full and advising that a five-dollar (\$5.00) processing fee has been added to the amount due.

b. If the account has a debit balance on the tenth of the following month, send a demand notice to the member advising that an additional twenty-five dollar (\$25.00) penalty has been added to the amount due and that the account will be referred to an attorney for collection without further notice if not paid in full by the end of the current month. As provided in the Declaration and in accordance with state and county law, the attorney may proceed to file a lien on the property and the member will be responsible for interest from the due date and all costs and fees associated with collection.

C. Sanctions for Non-payment.

1. Any member more than 60 days delinquent in any payment due the Association, as of the date that votes are taken, shall be ineligible to vote in any meeting of Association members, in any election of Directors, or any balloting of members.

2. In addition, the Board of Directors may impose any of the following sanctions.

a. Prohibit the use of Community Facilities by the member or by the associate member who has been extended the member's privileges, to include the rights to provide inputs to the Heritage Harbour TV and Harbour Lights.

- b. Prohibit the member from being heard at meetings of the Board of Directors.
- c. Require the member to surrender his/her membership card.
- d. Publish the member's name in Harbour Lights or post the member's name in a prominent place in the Lodge.

II. Compliance with Covenants and Regulations.

A. Responsibilities of Members.

- 1. Members are responsible for compliance with the covenants contained in the Declaration, including the Architectural and Environmental Committee (AERC) requirements, rules and regulations established by the Board of Directors. Non-resident owners shall be responsible for the actions of their tenants.
- 2. Members may report suspected non-compliance with the covenants contained in the Declaration, including the AERC requirements, rules and regulations established by the Board of Directors. Members should call the On-Site General Manager at the Association office.

B. Responsibility of the Architectural and Environmental Review Committee (AERC).

- 1. The AERC shall, within its authority provided by the Declaration and in accordance with its guidelines, monitor actions proposed or taken by members or others.
- 2. The AERC shall investigate any alleged action of non-compliance with its requirements, and make efforts to obtain voluntary compliance to resolve the case in accordance with established AERC procedures.
- 3. If voluntary compliance cannot be achieved, the AERC shall refer the case, with recommendation, to the Board of Directors.

C. Responsibility of the Management Agent.

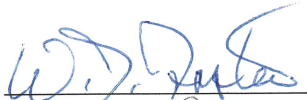
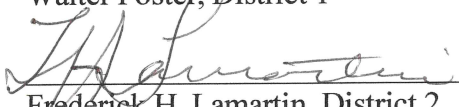
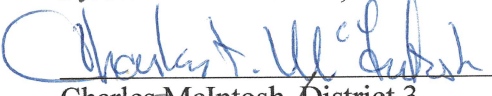
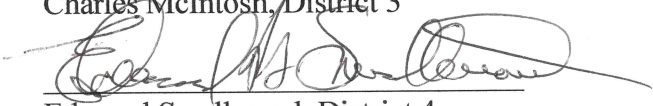
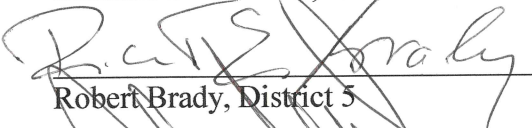
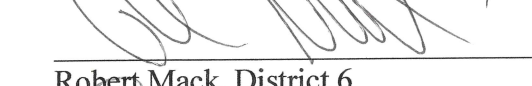
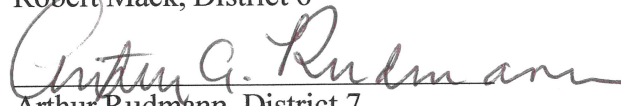
- 1. The Management Agent is responsible for investigating alleged cases of non-compliance. If necessary, the Management Agent may consult with appropriate committee chairpersons. In cases involving issues within the authority of the AERC, the Management Agent shall refer those cases to the Chairperson of the AERC.
- 2. If the Management Agent finds a member in non-compliance, the agent shall make efforts to obtain voluntary compliance to resolve the case.
- 3. If voluntary compliance cannot be achieved, the Management Agent shall refer the case, with recommendation, to the Board of Directors.

D. Sanctions for Non-Compliance.

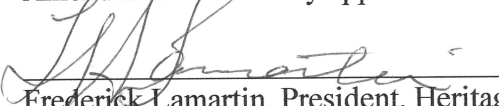
LIBER 019 PAGE 277

1. The Board of Directors will consider non-compliance cases at a hearing during a closed meeting called for that purpose. The member in non-compliance shall be given an opportunity to address the Board at that meeting. By majority vote, the Board may impose any or all of the sanctions for non-payment and, in addition, may take the following actions.

- a. The Board may direct that the Association correct any unapproved construction or alteration, and bill the owner for the cost of the correction.
- b. If the case involves a domestic pet, the Board may determine that the pet is a nuisance and require its removal.
- c. The Board may request the Association's attorney to initiate a civil action under State and County laws.

	Yes	No	Abstain
 Walter Foster, District 1	☒	☐	☐
 Frederick H. Lamartin, District 2	☒	☐	☐
 Charles McIntosh, District 3	☒	☐	☐
 Edmund Smallwood, District 4	☒	☐	☐
 Robert Brady, District 5	☒	☐	☐
 Robert Mack, District 6	☒	☐	☐
 Arthur Rudmann, District 7	☒	☐	☐

Amendment 1 was duly approved at a regular meeting of the Board of Directors on April 13, 1999.


Frederick Lamartin, President, Heritage Harbour Community Association, Inc.

**AMENDMENT
TO HOMEOWNERS DISCLOSURE
STATEMENT FOR**

**HERITAGE HARBOUR COMMUNITY
COMMUNITY ASSOCIATION, INC.
(Annapolis)**

RECORDING FEE 25.00
TOTAL 25.00
Rest AM15 Rpt # 3-481
RVD KB EIR # 2839
Jan 27, 2000 10:33 am

For deposit with the Circuit Court for Anne Arundel County this 25th day of January, 2000.

1. Policy Resolution No. 4 - Amendment 1 - Meetings of Members - Approved January 11, 2000
2. Administrative Resolution No. 1 - Signatory Information - Approved January 11, 2000
3. Administrative Resolution No. 2 - Resident Agent & Principal Office Address - Approved January 11, 2000
4. Administrative Resolution No. 3 - **Corrections to Policy Resolutions Nos. 1, 3, 5** - Approved January 11, 2000
5. Administrative Resolution No. 4 - Association Insurance - Approved January 11, 2000

Return to: *Heritage Harbour Community Association, Inc., 959 River Strand Loop, Annapolis, Maryland 21401*

01/25/00/10300.001

By: *Elmore & Associates, P.A.*

00 JAN 27 AM 10:41

CHIEF CLERK, A. A. COURT

HERITAGE HARBOUR COMMUNITY ASSOCIATION, INC.

CORRECTIONS TO RESOLUTIONS

**POLICY RESOLUTIONS NOS. 1, 3 and 5
ADMINISTRATIVE RESOLUTION NO. 3**

WHEREAS, the Declaration of Covenants of Heritage Harbour was revised and restated by the Fifth Amendment, dated December 2, 1999; and

WHEREAS, the By-Laws of Heritage Harbour Community Association, Inc. were revised and restated by the Third Amendment, dated December 2, 1999; and

WHEREAS, as a result of revisions to the Declaration of Covenants and By-Laws, certain citations of authority contained in some Resolutions contained in the Book of Resolutions are changed.

RESOLVED, that the following changes should be made to conform the citations of authority to the current Declaration of Covenants and By-Laws.

POLICY RESOLUTION NO. 1

In the second WHEREAS, the citation of Article V, Section 3 of the By-Laws, change Section 3 to Section 2.

POLICY RESOLUTION NO. 3

In the first WHEREAS, the citation of Article V, Section 3 of the By-Laws, change Section 3 to Section 2.

In the second WHEREAS, the citation of Article IV, Section 1 of the Declaration, change Section 1 to Section 3.

POLICY RESOLUTION NO. 5

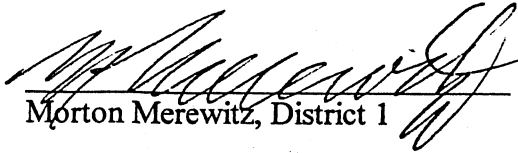
In the first WHEREAS, the citation of Article VIII, Section 1 of the Declaration, change Section 1 to Section 2.

In Attachment A, Section B.22, change the reference to C. 15 in the parentheses to C.14.

In Attachment A, Section C, change the numbering of Sections 16 through 26 to Sections 15 through 25.

ADMINISTRATIVE RESOLUTION NO. 3

In the first WHEREAS, the citation of Article VIII, Section 2 of the Declaration, change Section 2 to Section 1.

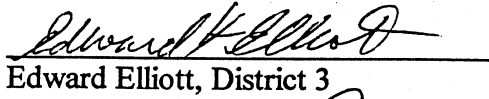

Morton Merewitz, District 1

Yes
☒

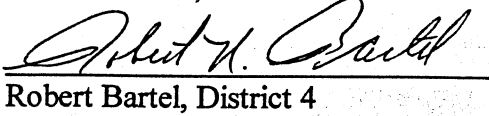
No
☐

Abstain
☐

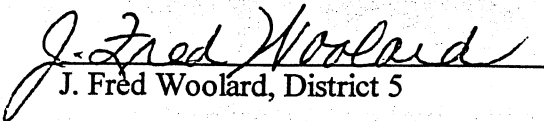
ABSENT
Frederick H. Lamartin, District 2


Edward Elliott, District 3

☒

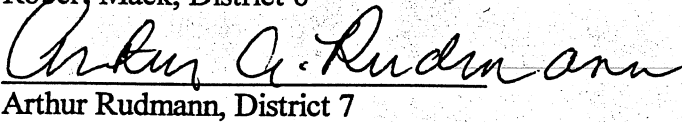

Robert Bartel, District 4

☒


J. Fred Woolard, District 5

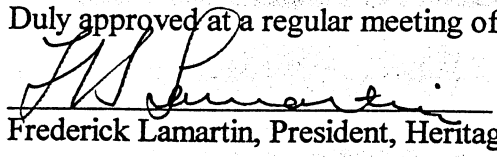
☒

ABSENT
Robert Mack, District 6


Arthur Rudmann, District 7

☒

Duly approved at a regular meeting of the Board of Directors on January 11, 2000.


Frederick Lamartin, President, Heritage Harbour Community Association, Inc.

**AMENDMENT
TO HOMEOWNERS DISCLOSURE
STATEMENT FOR**

**HERITAGE HARBOUR COMMUNITY
COMMUNITY ASSOCIATION, INC.
(Annapolis)**

For deposit with the Circuit Court for Anne Arundel County.

RECORDING FEE 21.60
TOTAL 21.60
REST AALS Acpt # 21648
RFD #2 B/L # 1000
Feb 19, 1999 20104 +0

1. **Heritage Harbour Community Association, Inc. Board of Directors Resolution No. 98-01
- Board of Directors authority to update or amend signatory information without a formal meeting (March 30, 1998)**
2. **Policy Resolution No. 3 - Imposition of Sanctions (October 13, 1998)**

Return to: *Elmore & Associates, P.A., Kathleen M. Elmore, Esquire, P. O. Box 6488, Annapolis, Maryland 21401*

02/10/99/10300.001

99 FEB 10 PM 3:28

RECEIVED
CIRCUIT COURT
ANNE ARUNDEL COUNTY

HERITAGE HARBOUR COMMUNITY ASSOCIATION, INC.

POLICY RESOLUTION NO. 3

IMPOSITION OF SANCTIONS

WHEREAS, Article V, Section 3, of the By-Laws of the Heritage Harbour Community Association, Inc. (the Association) provides that the Board of Directors of the Association shall have all the powers and duties necessary for the administration of the affairs of the Association to include the promulgation and enforcement of such rules and regulations or such restrictions or requirements as may be deemed proper respecting the use, occupancy and maintenance of the common area and community facilities by the members; and

WHEREAS, Article IV, Section 1, of the Declaration and Covenants of Heritage Harbour (the Declaration) provides that the Association, acting by and through its Board of Directors, have the right to enforce the Declaration, By-Laws and duly authorized regulations by imposing sanctions on the non-complying members, including but not limited to suspending voting rights and the rights to use Common Areas and Community Facilities; and

WHEREAS, by Policy Resolution No.1 the Board of Directors set forth its authority and intention to establish policies and procedures deemed necessary for the efficient and effective administration of the Association and for carrying out the affairs of the Association.

RESOLVED, that the following policies and procedures are established for the imposition of sanctions on members for non-payment of assessments and other charges or for non-compliance with duly established rules and regulations.

I. Assessments or Charges Due the Association.

A. Responsibilities for Payment of Assessments or Other Charges.

1. Owners of Lots or Units in Heritage Harbour agree to the payment of assessments as a condition of ownership in the Community. Article VI of the Declaration states, in part, that:

"Each person, group of persons, corporation, trust or other legal entity, or any combination thereof, who becomes an owner of a Lot or Unit, by acceptance of a deed thereof, ... shall agree to pay the Association, in advance, a monthly sum ... equal to one-twelfth (1/12) of the member's proportionate share of the sum required by the Association ... to meet its annual expenses..."

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2. The Management Agent shall, without further approval by the Board of Directors, take the following actions with members whose payments are past due.

a. If payment is not received by the tenth day, send a reminder letter to the member.

b. If payment is not received by the end of the second month (60 days) after the due date, send a notice to the member that a penalty of \$25 is added to the amount due.

c. If payment is not received by the end of the third month (90 days) after the due date, request the Association's attorney to file a lien against the member's property, as provided in the Declaration and in accordance with State and County law. Notify the Board of Directors of this action.

C. Sanctions for Non-payment.

1. Any member more than 60 days delinquent in any payment due the Association, as of the date that votes are taken, shall be ineligible to vote in any meeting of Association members, in any election of Directors, or any balloting of members.

2. In addition, the Board of Directors may impose any of the following sanctions.

a. Prohibit the use of Community Facilities by the member or by the associate member who has been extended the member's privileges, to include the rights to provide inputs to the Heritage Harbour TV and Harbour Lights.

b. Prohibit the member from being heard at meetings of the Board of Directors.

c. Require the member to surrender his/her membership card.

d. Publish the member's name in Harbour Lights or post the member's name in a prominent place in the Lodge.

II. Compliance with Covenants and Regulations.

A. Responsibilities of Members.

1. Members are responsible for compliance with the covenants contained in the Declaration, including the Architectural and Environmental Committee (AERC) requirements, rules and regulations established by the Board of Directors. Non-resident owners shall be responsible for the actions of their tenants.
2. Members may report suspected non-compliance with the covenants contained in the Declaration, including the AERC requirements, rules and regulations established by the Board of Directors. Members should call the On-Site General Manager at the Association office.

B. Responsibility of the Architectural and Environmental Review Committee (AERC).

1. The AERC shall, within its authority provided by the Declaration and in accordance with its guidelines, monitor actions proposed or taken by members or others.
2. The AERC shall investigate any alleged action of non-compliance with its requirements, and make efforts to obtain voluntary compliance to resolve the case in accordance with established AERC procedures.
3. If voluntary compliance cannot be achieved, the AERC shall refer the case, with recommendation, to the Board of Directors.

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1. The Management Agent is responsible for investigating alleged cases of non-compliance. If necessary, the Management Agent may consult with appropriate committee chairpersons. In cases involving issues within the authority of the AERC, the Management Agent shall refer those cases to the Chairperson of the AERC.
2. If the Management Agent finds a member in non-compliance, the agent shall make efforts to obtain voluntary compliance to resolve the case.
3. If voluntary compliance cannot be achieved, the Management Agent shall refer the case, with recommendation, to the Board of Directors.

D. Sanctions for Non-Compliance.

1. The Board of Directors will consider non-compliance cases at a hearing during a closed meeting called for that purpose. The member in non-compliance shall be given an opportunity to address the Board at that meeting. By majority vote, the Board may impose any or all of the sanctions for non-payment and, in addition, may take the following actions.

- a. The Board may direct that the Association correct any unapproved construction or alteration, and bill the owner for the cost of the correction.
- b. If the case involves a domestic pet, the Board may determine that the pet is a nuisance and require its removal.
- c. The Board may request the Association's attorney to initiate a civil action under State and County laws.

Lowell F. Hodgson
Lowell Hodgson, District 1

Yes ☒No ☐Abstain ☐

Frederick H. Lamartin
Frederick H. Lamartin, District 2

✓ ☐☐☐

Arnold Cohen
Arnold Cohen, District 3

✓ ☐☐☐

Edmund Smallwood
Edmund Smallwood, District 4

✓ ☐☐☐

Robert Brady
Robert Brady, District 5

✓ ☐☐☐

John Wilson
John Wilson, District 6

✓ ☐☐☐

Arthur A. Rudmann
Arthur Rudmann, District 7

✓ ☐☐☐

Duly approved at a regular meeting of the Board of Directors on October 13, 1998.

Frederick Lamartin
Frederick Lamartin, President, Heritage Harbour Community Association, Inc.

**AMENDMENT
TO HOMEOWNERS DISCLOSURE
STATEMENT FOR**

**HERITAGE HARBOUR COMMUNITY
COMMUNITY ASSOCIATION, INC.
(Annapolis)**

For deposit with the Circuit Court for Anne Arundel County.

RECORDING FEE 25.00
TOTAL 25.00
Res# AA15 Acct # 21246
RFD RB Bk # 1365
Feb 10, 1999 03:54 PM

1. **Heritage Harbour Community Association, Inc. Board of Directors Resolution No. 98-01
- Board of Directors authority to update or amend signatory information without a formal
meeting (March 30, 1998)**
2. **Policy Resolution No. 3 - Imposition of Sanctions (October 13, 1998)**

Return to: *Elmore & Associates, P.A., Kathleen M. Elmore, Esquire, P. O. Box 6488, Annapolis,
Maryland 21401*

02/10/99/10300.001

Heritage Harbour Community Association, Inc.
Board of Directors
Resolution Number: 98 - 01

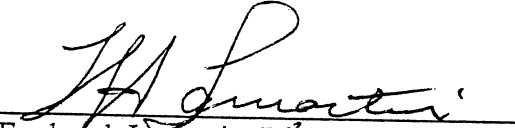
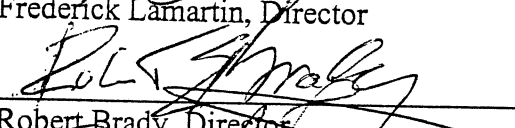
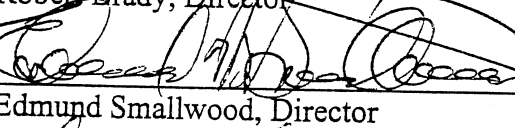
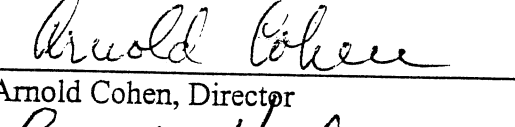
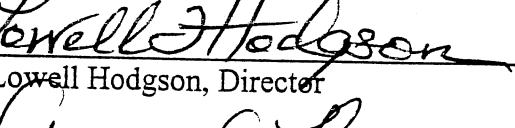
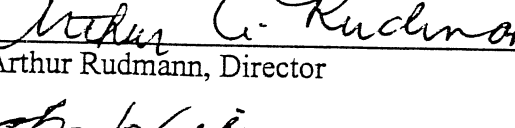
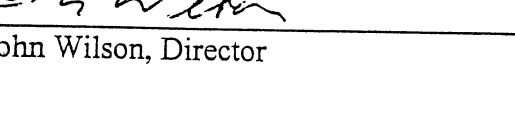
March 30, 1998

BOOK 019 PAGE 148

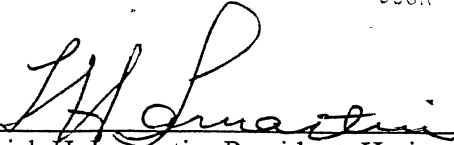
Whereas, Article V, Section 3, of the By-Laws assigns to the Board of Directors of the Heritage Harbour Community Association, Inc. "....all the powers and duties necessary for the administration of the affairs of the Association...." and further states that the Board's duties shall include, but not be limited to, "....receipt, recording, use, and expenditure of revenues....";

Now, therefore, BE IT RESOLVED that the Board of Directors may, without formal meeting, from time to time, amend or update the signatory information on any and all Association investments or general accounts.

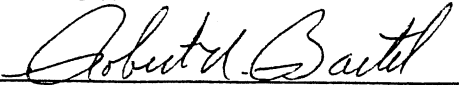
AS WITNESS the signatures of the undersigned Directors of the Corporation on the date first written above.

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
 (SEAL) Frederick Lamartin, Director	<u>X</u>	—	—
 (SEAL) Robert Brady, Director	<u>X</u>	—	—
 (SEAL) Edmund Smallwood, Director	<u>✓</u>	—	—
 (SEAL) Arnold Cohen, Director	<u>✓</u>	—	—
 (SEAL) Lowell Hodgson, Director	<u>X</u>	—	—
 (SEAL) Arthur Rudmann, Director	<u>X</u>	—	—
 (SEAL) John Wilson, Director	<u>X</u>	—	—

I HEREBY CERTIFY that the above is a true copy of the Resolution adopted by the Board of Directors of Heritage Harbour Community Association, Inc., at a meeting of the Board on March 30, 1998.


Frederick H. Lamartin, President, Heritage Harbour Community Association, Inc.

ATTEST:


Robert Bartel, Secretary, Heritage Harbour Community Association, Inc.

HERITAGE HARBOUR COMMUNITY ASSOCIATION, INC.**POLICY RESOLUTION NO. 3****IMPOSITION OF SANCTIONS**

WHEREAS, Article V, Section 3, of the By-Laws of the Heritage Harbour Community Association, Inc. (the Association) provides that the Board of Directors of the Association shall have all the powers and duties necessary for the administration of the affairs of the Association to include the promulgation and enforcement of such rules and regulations or such restrictions or requirements as may be deemed proper respecting the use, occupancy and maintenance of the common area and community facilities by the members; and

WHEREAS, Article IV, Section 1, of the Declaration and Covenants of Heritage Harbour (the Declaration) provides that the Association, acting by and through its Board of Directors, have the right to enforce the Declaration, By-Laws and duly authorized regulations by imposing sanctions on the non-complying members, including but not limited to suspending voting rights and the rights to use Common Areas and Community Facilities; and

WHEREAS, by Policy Resolution No.1 the Board of Directors set forth its authority and intention to establish policies and procedures deemed necessary for the efficient and effective administration of the Association and for carrying out the affairs of the Association.

RESOLVED, that the following policies and procedures are established for the imposition of sanctions on members for non-payment of assessments and other charges or for non-compliance with duly established rules and regulations.

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"Each person, group of persons, corporation, trust or other legal entity, or any combination thereof, who becomes an owner of a Lot or Unit, by acceptance of a deed thereof, ... shall agree to pay the Association, in advance, a monthly sum ... equal to one-twelfth (1/12) of the member's proportionate share of the sum required by the Association ... to meet its annual expenses... "

2. Assessments are due and payable, in advance, on the first day of each month, and shall

become past due on the tenth day of the month. Other charges are due and payable when billed.

3. Payments shall be submitted to the Management Agent in the form and manner established by the Management Agent. Any questions concerning payments should be addressed to the Management Agent by calling the Association office.

B. Responsibilities of the Management Agent. The Management Agent shall be responsible for the billing and collection of all payments due the Association.

1. The Management Agent shall advise members of the assessment established by the Board of Directors and provide forms and instructions for submitting payment of the monthly assessment.

2. The Management Agent shall, without further approval by the Board of Directors, take the following actions with members whose payments are past due.

- a. If payment is not received by the tenth day, send a reminder letter to the member.
- b. If payment is not received by the end of the second month (60 days) after the due date, send a notice to the member that a penalty of \$25 is added to the amount due.
- c. If payment is not received by the end of the third month (90 days) after the due date, request the Association's attorney to file a lien against the member's property, as provided in the Declaration and in accordance with State and County law. Notify the Board of Directors of this action.

C. Sanctions for Non-payment.

1. Any member more than 60 days delinquent in any payment due the Association, as of the date that votes are taken, shall be ineligible to vote in any meeting of Association members, in any election of Directors, or any balloting of members.

2. In addition, the Board of Directors may impose any of the following sanctions.

- a. Prohibit the use of Community Facilities by the member or by the associate member who has been extended the member's privileges, to include the rights to provide inputs to the Heritage Harbour TV and Harbour Lights.
- b. Prohibit the member from being heard at meetings of the Board of Directors.
- c. Require the member to surrender his/her membership card.

d. Publish the member's name in Harbour Lights or post the member's name in a prominent place in the Lodge.

II. Compliance with Covenants and Regulations.

A. Responsibilities of Members.

1. Members are responsible for compliance with the covenants contained in the Declaration, including the Architectural and Environmental Committee (AERC) requirements, rules and regulations established by the Board of Directors. Non-resident owners shall be responsible for the actions of their tenants.
2. Members may report suspected non-compliance with the covenants contained in the Declaration, including the AERC requirements, rules and regulations established by the Board of Directors. Members should call the On-Site General Manager at the Association office.

B. Responsibility of the Architectural and Environmental Review Committee (AERC).

1. The AERC shall, within its authority provided by the Declaration and in accordance with its guidelines, monitor actions proposed or taken by members or others.
2. The AERC shall investigate any alleged action of non-compliance with its requirements, and make efforts to obtain voluntary compliance to resolve the case in accordance with established AERC procedures.
3. If voluntary compliance cannot be achieved, the AERC shall refer the case, with recommendation, to the Board of Directors.

C. Responsibility of the Management Agent.

1. The Management Agent is responsible for investigating alleged cases of non-compliance. If necessary, the Management Agent may consult with appropriate committee chairpersons. In cases involving issues within the authority of the AERC, the Management Agent shall refer those cases to the Chairperson of the AERC.
2. If the Management Agent finds a member in non-compliance, the agent shall make efforts to obtain voluntary compliance to resolve the case.
3. If voluntary compliance cannot be achieved, the Management Agent shall refer the case, with recommendation, to the Board of Directors.

D. Sanctions for Non-Compliance.

1. The Board of Directors will consider non-compliance cases at a hearing during a closed meeting called for that purpose. The member in non-compliance shall be given an opportunity to address the Board at that meeting. By majority vote, the Board may impose any or all of the sanctions for non-payment and, in addition, may take the following actions.

- a. The Board may direct that the Association correct any unapproved construction or alteration, and bill the owner for the cost of the correction.
- b. If the case involves a domestic pet, the Board may determine that the pet is a nuisance and require its removal.
- c. The Board may request the Association's attorney to initiate a civil action under State and County laws.

Lowell F. Hodgson
Lowell Hodgson, District 1

Yes
✓

No

Abstain

Frederick H. Lamartin
Frederick H. Lamartin, District 2

✓

Arnold Cohen
Arnold Cohen, District 3

✓

Edmund Smallwood
Edmund Smallwood, District 4

✓

Robert E. Brady
Robert Brady, District 5

X

John Wilson
John Wilson, District 6

✓

Arthur A. Rudmann
Arthur Rudmann, District 7

✓

Duly approved at a regular meeting of the Board of Directors on October 13, 1998.

Frederick Lamartin
Frederick Lamartin, President, Heritage Harbour Community Association, Inc.