

RESOLUTION
of the Board of Directors of
EAGLES SOUND PROPERTY OWNERS ASSOCIATION
(Architectural Review Committee)

WHEREAS, Eagles Sound Estates, LLC, a Virginia Limited Liability Company, caused to be created and recorded a Declaration recorded July 18, 2003 to create the subdivision of Eagles Sound Estates ("Association") by the Eagles Sound Estates Declaration of Covenants, Conditions and Restrictions (the "Declaration") Such Declaration is recorded among the deed records of the County of Accomack, as Instrument Number 200305353 in the Clerk's Office of the Circuit Court for the County of Accomack and the same has been or may be amended from time to time; and

WHEREAS, the Declarant did cause incorporation of Eagles Sound Property Owners Association, as a nonstock corporation, and thereafter adopted Bylaws of the nonstock corporation ("Bylaws"); and

WHEREAS, the Association is managed and operated pursuant to the Declaration and the Bylaws; and

WHEREAS, all Owners in the Association are Members of the Association by pursuant to the Declaration, and as such all Owners are subject to all of the covenants, conditions and restrictions in the Declaration; and

WHEREAS Article II, Section 2.4 of the Declaration provides that the Board shall adopt from time to time such rules and regulations and design guidelines as may be necessary to implement architectural control and the provisions of the protective covenants, conditions and restrictions; and

WHEREAS the Board is vested with all of the rights and powers provided for in the Property Owners Association Act, 55-508 et seq. of the Code of Virginia and Section 7.1(p) vests rulemaking authority in the Board; and

WHEREAS, the Association's Board of Directors is empowered by Article II, Section 2.3 of the Declaration to establish an Architectural Review Committee; and

WHEREAS, it is the intent of the Board to expressly adopt the provisions of Section 55.1-1819 of Virginia's Property Owners' Association Act and to establish Rules and Regulations adopted pursuant to the Declaration as required by Section 55.1-1819 for the Board and such Committees as may be designated by the Board in the future where they must take action relative to questions of covenant enforcement; and

WHEREAS, for the benefit and protection of the Association and of the individual

members, the Board of Directors deems it desirable to establish how the Architectural Review Committee is created and maintained; and

WHEREAS, the Board of Directors will provide notice of this policy to all current owners by mailing a copy of this Resolution to current owners and to all future owners by including the Resolution in resale disclosure packages prepared pursuant to Section Section 55.1-1809 of the Property Owners' Association Act.

NOW THEREFORE, the Board of Directors of Eagles Sound Property Owners Association (the "Board") does hereby adopt the attached Rules and Regulations governing the Architectural Review Committee.

IN WITNESS WHEREOF the undersigned President hereby certifies that this resolution was passed by majority vote of the Board of Directors on the "Effective Date" set forth below.

EAGLES SOUND PROPERTY OWNERS ASSOCIATION

CWJ Hankins
_____, President

November 2, 2019
(Effective Date)

RULES AND REGULATIONS OF EAGLES SOUND PROPERTY OWNERS
ASSOCIATION REGARDING ARCHITECTURAL REVIEW COMMITTEE

1. The Architectural Review Committee (hereinafter "ARC") shall be made up of three owners/members of the Association selected by the Board of Directors and may be composed entirely of members of the Board of Directors. Members of the ARC shall be appointed for 1-year terms, but shall not be limited in the number of terms they may serve. ARC members serve at the pleasure of the Board and may be removed upon a majority vote of the members of the Board of Directors.

2. The ARC shall evaluate, according to the covenant restrictions, the plans to build, add or remodel structures, landscaping, exterior alterations or acts which modify the lot in any way.

3. If the ARC determines there is a violation of its decision, the enforcement of covenants will be the responsibility of the Board of Directors in utilizing the due process resolution.

4. The Board of Directors shall be permitted to develop forms of application and guidelines for all exterior alterations which shall be administered by the ARC.

5. A fee not to exceed \$50.00 shall be established by the board of directors for each application requiring review by the ARC and shall be collected by the ARC at the time of accepting such application, payable to "ESPOA." Cash shall not be accepted with any application.

6. Costs of Enforcement. Any Owner found to be in violation of the determinations of the ARC shall be responsible for all attorneys' fees, administrative costs, including any postage fees and court costs that may result in the enforcement pursuant to this Resolution. Such fees and costs shall have the same force and effect as if the charge was an assessment attributable to such Owner.

7. The adoption of Section 55.1-1819 of the Property Owners' Association Act shall mean §55.1-1819 the Code of Virginia, 1950, as in effect on the date of this Resolution, and as amended from time to time thereafter. Except as otherwise expressly permitted herein, if any sections of the Virginia Code referred to in this Resolution are hereafter repealed or recodified, each such reference shall be deemed to apply to the sections of the Virginia Code that is the successor to the previous section referred to herein or, if there is no successor section, such reference shall be interpreted as if the section had not been repealed.

8. Other Remedies.

These Rules and Regulations shall not be interpreted to prevent the Association from exercising any other remedies authorized or available under the Governing Documents, the Property Owners association Act, or applicable law.