



TANYARD SPRINGS HOMEOWNERS ASSOCIATION, INC.

POLICY RESOLUTION NO. 2020-05

Use of the Association Basketball Court

[Unless otherwise noted herein, all capitalized terms shall have the same meaning as set forth in Article 1 of the Declaration of the Tanyard Springs Homeowners Association, Inc.]

WHEREAS, Article 7, Section 7.1(h) of the Bylaws of the Tanyard Springs Homeowners Association (hereinafter “the Association”) provides that the Board of Directors (hereinafter “the Board”) shall have power to exercise for the HOA all powers, duties and authority vested in or delegated to the HOA and not reserved to the Owners by other provisions of the Governing Documents (hereinafter “the Declaration”); and

WHEREAS, Article 7, Section 7.1(a) of the Bylaws of the Association provides that the Board shall have the power to establish HOA Codes (i.e., rules, resolutions) in accordance with the Declaration and other rules and regulations of the HOA including, without limitation, those relating to the use of the HOA Common Area and any facilities situated thereon, and the personal conduct of Owners, residents, and their agents, contractors, guests, and invitees thereon, and to establish penalties for the infraction thereof; and

WHEREAS, Article 8, Section 8.1(a) of the Association’s Declaration provides that the Board may adopt as HOA Codes such additional use restrictions and protective covenants related specifically to the use of the Property or the HOA Common Area as are consistent with the Declaration and the Development Plans and as may be deemed necessary or appropriate by the Board, and further provides that the HOA Codes shall prescribe rules, policies and/or procedures for implementing provisions of the Governing Documents including, but not limited to, additional covenants and restrictions regarding the permitted uses, prohibited uses and nuisances, or exclusive uses within the Property and any facilities situated thereon; and

WHEREAS, Article 8, Section 8.1(j) of the Association’s Declaration provides that the Board may adopt as HOA Codes such additional use restrictions and protective covenants related specifically to the use of the Property or the HOA Common Area as are consistent with the Declaration and the Development Plans and as may be deemed necessary or appropriate by the Board, and further provides that the HOA Codes shall prescribe rules, policies and/or procedures for implementing provisions of the Governing Documents including, but not limited to, policies related to use and control of HOA Common Area and any facilities situated thereon; and

WHEREAS, Article 9, Section 9.2(a) of the Association’s Declaration provides that no noxious or offensive activity shall be allowed within on upon any Residential unit or other HOA Common Area that may be or become an annoyance or nuisance to the community or other Owners; and

WHEREAS, members and residents of the Association have complained of issues involving the use of the basketball court. Specific issues complained of have been vandalism, trash, use of illegal substances, drug paraphernalia, property damage, and trespassing, all of which negatively impact the health, safety, and welfare of the Association. Furthermore, these issues have disrupted members' quiet enjoyment of their property; and

WHEREAS, in order to promote the health, safety, and welfare of the Association, as well as the quiet enjoyment of neighboring property, and to reduce COVID-19 related concerns, the Board of Directors believes that it is necessary and in the best interests of the Association to adopt this Resolution concerning the use of the Association's basketball court.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT pursuant to the above referenced provisions, the Board adopts the following resolution:

- A. The basketball backboard and rim will be removed for a period of ninety (90) days, beginning from the date of adoption of this resolution.
- B. At the end of the ninety (90) day period, the Board of Directors will evaluate the impact the backboard and rim removal has had on the health, safety, and welfare of the Association, as well as whether members' right to the quiet enjoyment of their property has continued to be impacted during this time period.
- C. At that time, after carefully considering the impact removal of the backboard and rim has had on the concerns previously raised, the Board of Directors will decide whether it is in the best interests of the Association to remove the basketball pole repurpose the basketball court.

RESOLUTION ACTION SHEET

ADMINISTRATIVE RESOLUTION NUMBER: 2020-05

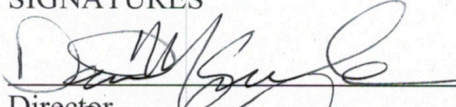
RESOLUTION TITLE: Use of the Association Basketball Court

DATE OF ADOPTION: October 13, 2020

The above-referenced Resolution was adopted by the Board of Directors as of the date set forth.


SIGNATURES

VOTE: (Y/N)



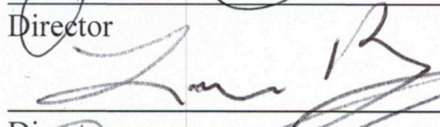
Director

Y



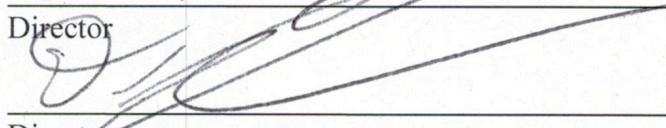
Director

Y



Director

Y



Director

Y

Patricia Warner
Director

Y

ATTEST: Patricia Warner
Secretary

10-15-2020
Date

RESOLUTION EFFECTIVE DATE: October 13, 2020