

**LAKE MANASSAS RESIDENTIAL OWNERS ASSOCIATION
MODIFICATIONS AND NEW CONSTRUCTION COMMITTEE CHARTER**

WHEREAS Article V, Sections 3 and 4 of the Amended and Restated By-laws of the Lake Manassas Residential Owners Association, Inc. (“Bylaws”), and Article XI, Sections 1 and 2 of the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Lake Manassas Residential Owners Association (“Declaration”) authorizes the Board of Directors to create and oversee a Modifications Committee and New Construction Committee;

WHEREAS, the Modifications and New Construction Committees are authorized to perform such tasks as provided in Article XI, Sections 1 and 2 of the Declaration, and as otherwise provided by this Charter and/or as directed by the Board of Directors, and to serve for such periods as may be designated by the Board of Directors; and

WHEREAS, the Board of Directors finds it in the best interest of the Association to combine the Modifications and New Construction Committees into a single committee.

NOW, THEREFORE, BE IT RESOLVED THAT the following Modifications and New Construction Committee Charter be adopted:

I. COMMITTEE PURPOSE AND RESPONSIBILITIES

- A. Purpose: The MCC shall have jurisdiction over all activities described in Article XI of the Declaration, Sections 1-5. A copy of Section XI is attached as Appendix A.

In addition, the MCC assumes the responsibilities of an environmental committee, whose purpose is to review and make recommendations to the Board regarding general issues that affect the aesthetics and wellbeing of the common natural resources within the community.

B. Responsibilities – Residential Lots:

1. The MCC shall issue, with Board approval, application requirements (including fees and construction deposits) for property modifications in accordance with Article XI, Section 3, of the Declaration. Decisions of the MCC shall be adopted in executive session.
2. The MCC shall from time to time review and thereafter recommend to the Board the revision to the design guidelines, and standards and procedures governing the modification of the Properties, as well as new construction guidelines. The MCC shall also review and recommend to the Board an appropriate fee and deposit schedule for new construction.

3. The MCC shall seek advice and guidance from qualified architects and other applicable professionals when necessary to ensure guidance provided for new construction and property modifications are in keeping with community standards. The MCC shall seek professional guidance when significant drainage/irrigation issues exist; when project cost is above \$20,000; when swimming pools are proposed; and when construction of new units is proposed.
4. Any waiver or variance of the Association's duly adopted standards or architectural guidelines requires the **prior approval** of the Board of Directors.

C. Responsibilities – Common Area:

1. The MCC shall review and make recommendations to the Board regarding the maintenance, composition, and conservation of forested areas, areas maintained as designed landscapes, community trails and sidewalks, graveyards, traffic circles, roads, community entrance and other related resources and issues.
2. Conduct volunteer activities that promote the preservation and protection of community natural resources and trails.
3. Verify compliance by landscape contractor via routine inspections performed by no more than two committee members.

II. COMMITTEE MEETINGS, MEMBERSHIP AND REPORTING

A. Meetings:

1. Location: All meetings are to be held at the Lake Manassas Residential Owners Association office, or at such alternative location as determined by the Board of Directors, from time to time. The "place" of the meeting may include remote participation procedures in lieu of a physical location, in accordance with procedures adopted by the Board of Directors and/or as permitted by law.
2. Frequency: At least quarterly; more often, if necessary.
3. Date and Time: At the discretion of the committee.

B. Membership and Reporting:

1. The Committee should develop a working relationship and channel of communication with:

- a. The President or other Members of the Board of Directors as designated by the President.
 - b. Appropriate representative(s) of the Property Management Company.
 - c. Homeowner's and other residents.
2. The Board of Directors shall appoint a Committee chairperson. Other offices may be elected by the Committee membership.
 3. The Board of Directors shall appoint members to the Committee in its sole discretion. The Committee shall be comprised of a minimum of three (3) members and a maximum of five (5) members. Committee members serve at the pleasure of the Board of Directors and may be removed at any time by the Board of Directors. Any person wishing to become a committee member may indicate his/her desire in writing to the Board of Directors and the Committee Chairperson for consideration.
 4. Members of the MCC shall not be appointed to serve on another committee while serving on the MCC.
 5. Committee candidates and members shall be property owners in good standing, their spouses or resident children over the age of (18). No member may serve on a committee if payment by such member of any financial obligation to the Association is delinquent more than sixty (60) days. Good standing shall be defined as the absence of any liens, privilege penalty, assessment delinquency or pending legal action with the Lake Manassas Residential Owners Association, Inc.
 6. Notice of meetings must be posted and minutes must be taken at each meeting. The minutes or a synopsis of significant events shall be presented to the Board at its regularly scheduled meetings.
 7. The Committee Chairperson, or his or her designee will attend each regularly scheduled business meeting of the Board of Directors, or in lieu thereof, submit a written report to the Board in advance of the Board meeting. The Chairperson will present Committee recommendations, update the Board on the status of pending Committee tasks, request assistance from the Board as needed and answer any questions the Board may have regarding Committee assignments. Any committee recommendations which require formal Board

action should be submitted to the managing agent in advance of the Board meeting for inclusion in the meeting agenda.

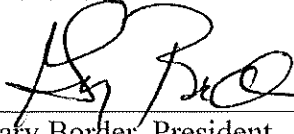
8. All Committee meetings shall be open to the membership. In order for the membership to be reasonably informed of Committee meetings, the Committee chairperson shall ensure that all meetings of the Committee are listed in the newsletter and through any other means of posting that the Committee deems appropriate. If it is necessary for the Committee to reschedule or cancel a meeting, the Committee chairperson shall notify the management staff at the earliest possible time so that the membership can be reasonably notified. The Committee Chairperson shall be responsible for contacting the members of the committee regarding rescheduled or canceled meetings. The Committee Chairperson should designate a limited time period on each meeting agenda for resident input.
9. A majority of the members of the Committee must be present to convene a meeting or conduct formal voting procedures. A majority vote of members while a quorum is present shall constitute a decision of the Committee.
10. All Committee meetings shall be conducted in general accordance with Robert's Rules of Order.
11. The Committee will not have the authority to direct vendors or service providers and contact with any contracted service provider shall be approved by Community Management beforehand.
12. Committee members shall sign and adhere to the requirements of a Committee Non-Disclosure Agreement.

III. GUIDELINES FOR REQUESTING EXPENDITURE OF FUNDS

- A. The committee shall not obligate or commit the Association to the expenditure of funds.
- B. Any request for funds shall be submitted to the Board of Directors two weeks prior to its regularly scheduled meetings.
- C. Any request for the expenditure of funds shall be accompanied by:
 1. A minimum of three (3) alternatives considered.
 2. Advantages and disadvantages associated with each alternative.
 3. Costs associated with each alternative. Cost proposals to contracted vendors will be coordinated through Community Management.

- 4. The implication if the decision is deferred or delayed.
 - 5. The committee recommendation with the rationale.
- D. Any obligation or commitment of funds shall be performed by the Board of Directors.

LAKE MANASSAS RESIDENTIAL OWNERS ASSOCIATION

By: 

Gary Border, President

I hereby certify that the foregoing committee charter was duly adopted at a regular meeting of the Board of Directors of the Lake Manassas Owners Association this 17 day of July, 2020.

By: _____
Shashi Mehta, Secretary

APPENDIX A
ARTICLE XI -Architectural Standards

The Board of Directors shall have the authority and standing, on behalf of the Association, to enforce in courts of competent jurisdiction decisions of the committees established in Sections 1 and 2 of this Article XI. This Article may not be amended without the Declarant's written consent so long as the Declarant owns any land subject to this Declaration or subject to annexation to this Declaration.

No construction, which term shall include within its definition staking, clearing, excavation, grading, and other site work, no exterior alteration or modification of existing improvements, and no plantings or removal of plants, trees, or shrubs shall take place except in strict compliance with this Article, until the requirements below have been fully met, and until the approval of the appropriate committee has been obtained.

All structures constructed on any portion of the Properties shall be designed by and built in accordance with the plans and specifications of a licensed architect by a builder or contractor approved by the New Construction Committee.

Section 1: New Construction Committee

The New Construction Committee (NCC) shall have exclusive jurisdiction over all original construction on any portion of the Properties. The NCC shall prepare and, on behalf of the Board of Directors, shall promulgate design and development guidelines and application and review procedures, all as part of the Community Development Code and Land Use Standards ("CDC-LUS"). Copies shall be available from the New Construction Committee for review. The guidelines and procedures shall be those of the Association, and the NCC shall have sole and full authority to prepare and to amend the CDC-LUS. It shall make the CDC-LUS available to Owners, builders, and developers who seek to engage in development of or construction upon all or any portion of the Properties and such Owners, builders and developers shall conduct their operations strictly in accordance therewith. Until one hundred percent (100%) of the Properties have been developed and all buildings within the Properties have obtained Certificates of Use and Occupancy (or its equivalent) from Prince William County, the Declarant retains the right to appoint all members of the NCC, which shall consist of at least three (3), but no more than five (5), persons. There shall be no surrender of this right prior to that time except in a written instrument in recordable form executed by Declarant. Upon the expiration of such right, the

Board of Directors shall appoint the members of the NCC in the same manner as provided in Section 2 of this Article for the Modifications Committee.

Section 2: Modifications Committee.

The Board of Directors may establish a Modifications Committee (MC) to consist of at least three (3) and no more than five (5) members, all of whom shall be appointed by the Board of Directors. The MC, if established, shall have exclusive jurisdiction over modifications, additions, or alterations made on or to existing improvements or structures within the Properties.

The Modifications Committee shall promulgate detailed standards and procedures governing its areas of responsibility and practice, consistent with the CDC-LUS. In addition thereto, the following shall apply. Plans and specifications showing the nature, kind, shape, color, size, materials, and location of such modifications, additions, or alterations, shall be submitted to the MC for approval as to quality of workmanship and design and as to harmony of external design with existing structures, location in relation to surrounding structures, topography, and finish grade elevation. No permission or approval shall be required to repaint in accordance with an originally approved color scheme, or to rebuild in accordance with originally approved plans and specifications. Nothing contained herein shall be construed to limit the right of an Owner to remodel the interior of his Lot, or to paint the interior of his Lot any color desired. In the event that the MC fails to approve or to disapprove such plans or to request additional information reasonably required within forty-five (45) days after submission, the plans shall be deemed approved.

Section 3: Review Fees and Deposits.

The NCC and the MC shall have the right to require that (i) a nonrefundable review fee in such amount as the NCC or MC may determine from time to time be submitted with each set of plans and (ii) that a refundable deposit in such amount as the NCC or MC may determine from time to time be submitted as a condition of approval of any plans, such refundable deposit to be used by the Association, upon direction of the NCC or MC, to complete or correct any deficiencies in the work on a Lot (including failure to complete landscaping in a timely fashion), with any remaining balance to be refunded to the Lot Owner upon completion of all work on a Lot in accordance with the plans in a good and workmanlike manner. The right of the NCC or MC to require a deposit or the existence of the deposit shall not require the NCC or MC to cause the Association to correct or complete any work on a Lot or to inspect or discover deficient work, and the right of the NCC or MC to require a deposit or the existence of the deposit shall not

relieve the Lot Owner of any responsibility to complete all work on a Lot in accordance with the plans approved by the NCC or the MC.

Section 4: No Waiver of Future Approvals.

The approval of either the NCC or MC of any proposals or plans and specifications or drawings for any work done or proposed, or in connection with any other matter requiring the approval and consent of such Committee, shall not be deemed to constitute a waiver of any right to withhold approval or consent as to any similar proposals, plans and specifications, drawings, or matters which may be subsequently or additionally submitted for approval or consent.

Section 5: Variance.

The NCC or the Board may authorize variances from compliance with any of the provisions of the CDC-LUS when circumstances such as topography, natural obstructions, hardship, or aesthetic or environmental considerations require. Such variances may only be granted, however, when unique circumstances dictate and no variance shall (a) be effective unless in writing, (b) be contrary to the restrictions set forth in the body of this Declaration, or (c) estop the NCC from denying a variance in other circumstances. For purposes of this Section, the inability to obtain either approval of any governmental agency the issuance of any permit, or the terms of any financing shall not be considered a hardship warranting a variance.

C. Any request for the expenditure of funds shall be accompanied by:

1. A minimum of three (3) alternatives considered.
2. Advantages and disadvantages associated with each alternative.
3. Costs association with each alternative. Cost proposals to contracted vendors will be coordinated through Management.
4. The implication if the decision is deferred or delayed.
5. The committee recommendation with the rationale.

D. Any obligation or commitment of funds shall be performed by the Board of Directors.

LAKE MANASSAS RESIDENTIAL OWNERS ASSOCIATION

By:



Gary Border, President

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By:



Shashi Mehta, Secretary