

CARRIAGE HILLS HOMEOWNERS ASSOCIATION

PRESIDENT'S MESSAGE 2011

From Wikipedia: A homeowner association is an organization created by a real estate developer for the purpose of controlling the appearance of the lots and managing any common area assets during the marketing, managing, and selling of homes and sites in a residential subdivision. It grants the developer privileged voting rights in governing the association, while allowing the developer to exit financial and legal responsibility of the organization, typically by transferring ownership of the association to the homeowners after selling off a predetermined number of lots. Membership in the homeowners association by a residential buyer is typically a condition of purchase; a buyer isn't given an option to reject it. Most homeowner associations are incorporated.

When you moved into Carriage Hills, you automatically became a member of the association and are bound to certain deed restrictions, covenants and conditions. By buying a house in Carriage Hills, you essentially signed a contract which is a legally-binding covenant.

Carriage Hills Homeowners Association is governed by three documents: the Articles of Incorporation, the Declaration of Covenants, Conditions and Restrictions, and the Bylaws.

Articles of Incorporation, which set out the name and address of the HOA, the name and address of the initial agent for service of process, the name and address of the managing agent, and a statement identifying the corporation as an association formed to manage a common interest development. The Carriage Hills Articles state that the purposes of the Association are to improve, maintain and preserve the common areas of Carriage Hills. They outline membership, voting rights, the Board of Directors, dissolution and Amendments. Carriage Hills was incorporated on March 11, 1970.

The declaration of covenants, conditions and restrictions (CC&Rs) is the basic governing document of a common interest development, which is a real estate development that combines individual ownership interests, like ownership of a house, with common ownership of shared areas or facilities, like open areas. Key provisions of the governing instruments include:

- Creation of an association of subdivision interest owners
- A description of the common interest of the common interest development owners or lessees
- Transfer of title and/or control of common interests to the owners in common or to the association
- Procedures for making and collecting assessments to pay the expenses of the HOA
- Policies for obtaining liens upon privately owned separate interests if assessments aren't paid on time, and for foreclosure of these liens for nonpayment.
- Policies and procedures relating to the disciplining of members for failure to comply with provisions of the governing instruments
- Creation of a governing body for the HOA
- Preparation of the budgets and financial statements of the HOA for distribution to its members
- Regular and special meetings of the HOA members and board (and notice requirements for the meetings)
- Amendment procedures for the governing instruments
- Architectural and/or design control

Carriage Hills Declaration contains all of the above, with the exception of architectural and/or design control. There are none, which means that every homeowner can paint their house any color they want, plant anything they want, etc., subject only to Canton Township and Wayne County restrictions. Our Declaration specifically states that the assessments levied by the Association shall be used exclusively for the purpose of improving for the benefit of the residents of the subdivision the common areas and for but not limited to the payment of taxes and insurance on the common areas, and the repair, replacement and additions thereof for the cost of labor, equipment, materials, management and supervision thereof. In addition, the assessments will be used to maintain the common areas. [Article IV, Section 2]

Bylaws are used for regulation of the internal affairs of the association, including such matters as assessments, maintenance and repair, use of the common areas, meetings of the Board and the members and rules of conduct of the residents.

Carriage Hills Bylaws contain the above and set out procedures for the election and removal of governing body members and officers of the HOA, define the powers and duties of the Board of Directors as well as the duties of the officers.

Articles, the Declaration and the Bylaws are available to any member of the Association.