

**UNANIMOUS WRITTEN CONSENT OF
THE BOARD OF DIRECTORS OF
BURLEY RIDGE HOMEOWNERS' ASSOCIATION, INC.**

February 28, 2022

Pursuant to KRS Chapter 273, we, Jason Combs, Kallye Johns, and Seth Johns, being the three members of the Board of Directors of Burley Ridge Homeowners' Association, Inc., a Kentucky non-profit, non-stock corporation (hereinafter referred to as the "Corporation"), unanimously consent to the following Preamble and Resolutions and the actions authorized pursuant to these Preamble and Resolutions:

RESOLUTION REGARDING LEASING POLICY

WHEREAS, the Association was created and established pursuant to that certain Declaration of Covenants, Conditions and Restrictions of Burley Ridge Subdivision (Plat Cabinet 11, Slide 493) of record at Deed Book 744, Page 161 in the Jessamine County Clerk's Office, as amended by that Amended Declaration of Covenants, Conditions and Restrictions of Burley Ridge Subdivision (Plat Cabinet 11, Slide 493), of record at Deed Book 763, Page 677 in the Jessamine County Clerk's Office, as may be amended or supplemented from time to time in the future (collectively the "Declaration");

WHEREAS, pursuant to Section 5.02 of the Declaration, the Association has the power to do or perform any act or thing permitted by law which will promote the social welfare, and serve the common good and general welfare of its members, which includes enforcement of the Declaration, Bylaws, rules and restrictions, and other Association documents (collectively the "Governing Documents");

WHEREAS, the Declaration includes certain restrictive covenants that, in the findings of the Board of Directors, would better serve the members of the Association if the covenants are supplemented and clarified to assure the beneficial, harmonious, and attractive maintenance of Burley Ridge;

WHEREAS, the Board of Directors finds that it is in the best interests of the Association and its members to adopt the Design Guidelines attached hereto as **EXHIBIT A** in order to supplement and clarify the implementation of restrictive covenants found in the Declaration; and

WHEREAS, the Board of Directors finds that adopting the attached Design Guidelines will allow the Association's members to enjoy uniform expectations and improved certainty in complying with the Declaration.


THEREFORE, BE IT RESOLVED, that the attached Design Guidelines are hereby adopted for the Association and its Members in the form attached as **EXHIBIT A**.

FURTHER RESOLVED that this Resolution shall take effect immediately upon execution by all members of the Board.

FURTHER RESOLVED, that the proper officers and directors are authorized to take all steps necessary to accomplish this Resolution.

WITNESS THE SIGNATURES of JASON COMBS, KALLYE JOHNS, and SETH JOHNS, being the members of the Board of Directors of BURLEY RIDGE HOMEOWNERS' ASSOCIATION, INC., a Kentucky non-profit, non-stock corporation.


This ²⁸ day of February, 2022.



Seth Johns, President/Director



Jason Combs, Vice President/Director



Kallye Johns, Treasurer/Director

EXHIBIT A

DESIGN GUIDELINES

OF BURLEY RIDGE HOMEOWNERS' ASSOCIATION, INC.

(the "Design Guidelines")

GENERAL

1. Burley Ridge Homeowners' Association, Inc. shall be referred to as the "**Association.**" Terms used in these Design Guidelines which are not herein defined shall have the same meaning as given in the Declaration of Covenants, Conditions and Restrictions of Burley Ridge Subdivision (Plat Cabinet 11, Slide 493) of record at Deed Book 744, Page 161 in the Jessamine County Clerk's Office, as amended by that Amended Declaration of Covenants, Conditions and Restrictions of Burley Ridge Subdivision (Plat Cabinet 11, Slide 493), of record at Deed Book 763, Page 677 in the Jessamine County Clerk's Office, including any future amendments and supplements thereto (collectively the "Declaration").

2. The purpose of these Design Guidelines is to supplement and clarify the provisions in the Declaration to give members guidance regarding design of new or replacement construction and modifications of existing improvements on Lots. In the event these Design Guidelines conflict with the Declaration, the Declaration shall control. These Design Guidelines shall automatically apply to any real property which is subject to any Declaration, covenant, or otherwise subject to the Association, including without limitation real property which may be made subject to the Declaration and/or the Association in the future.

3. Every member shall be responsible for ensuring compliance with the Declaration and the Design Guidelines. Each member's responsibility shall extend, without limitation, to occupants, lessees, guests, invitees, vendors, contractors, or any other party visiting the member or present within Burley Ridge at the request or permission of the member. Violations of the Declaration or these Design Guidelines shall be the responsibility and expense of the member, and such amounts shall constitute a lien against the member's Lot as set forth in the Declaration.

4. Pursuant to Section 1.01 of the Declaration, all improvements, changes, construction, additions, excavation, landscaping, tree removal, and other work/action on any Lot requires prior written approval of the Association (such request being a "Request"). The Board of Directors may from time to time publish a form or application for members to use in submitting Requests for review, which shall be subject to the provisions of Section 1.02 of the Declaration. Members that have doubts about whether a formal Request must be submitted must inquire with the Association **before** commencing improvements. Improvements or modifications constructed without Association consent and approval may be subject to removal, fines, or other enforcement action.

REFUSE CONTAINERS AND SCREENING

5. Garbage and refuse containers must be stored in one of the following ways:

- a. Inside a permitted building or structure upon the Lot;
- b. Screened by a wall of material similar to and compatible with that of the residence on the Lot; or
- c. Screened by landscaping which is sufficiently hardy to provide year-round evergreen screening of the entire container; provided, however, that such plantings are of a variety that will be fully matured and capable of full screening within 5 years of planting.

6. Section 2.08 of the Declaration requires that screening “be designed so as not to attract attention and shall be located in as reasonably inconspicuous manner as is possible.” Containers which are screened by walls or landscaping must be screened so that the containers are not visible from the street or adjacent Lots. The containers must be stored against the residence in an area that minimizes the containers’ visibility to the greatest degree practicable, including without limitation use of like materials and colors. The Association may require that nonstandard Lots, such as corner or double-frontage Lots, be screened on multiple sides. In no event may containers be stored nearer to the street than the rear corner building line of the home without the express written consent of the Association.

7. Unless otherwise permitted by the Association, screening walls must be similar to and compatible with the residence on the Lot. Without limiting the foregoing, treated wood, brick, vinyl planks, and similar high-quality materials may be used to the extent those match or complement the residence in the discretion of the Association. Screening walls should be no taller than five (5) feet and no wider than three (3) feet, although the Association may approve other reasonable configurations if justified by the Lot layout or other factors.

RADON PIPES

8. New, modified, and replacement radon pipes must be installed at the side or rear of the residence, not visible from the street. In order to minimize visibility, pipes must be painted to match the color and appearance of that portion of the residence where the pipe is located, including without limitation matching the siding and trim. Radon pipes shall not be installed nearer to the street than the front building line of the residence.

FLAGS AND OTHER PROJECTIONS

9. Flags shall not exceed three (3) feet by five (5) feet. No more than one (1) flag shall be permitted on any Lot. Flags must be properly mounted to the residence and shall not project above the finished roof elevation of the residence.

10. No more than two (2) garden flags may be placed on any Lot. Garden flags shall be no larger than eighteen (18) by twenty-four (24) inches and may not be constructed of reflective, distracting, or annoying materials. The Association reserves the right to remove any noxious, offensive, distracting, or profane garden flags.

11. Notwithstanding the foregoing, no other flags, banners, or decorative markings shall be permitted without the express written consent of the Association.

TEMPORARY POOLS

12. Construction and placement of permanent and semi-permanent pools is addressed in §1.01(8) and §4.09 of the Declaration.

13. Temporary pools, including “kiddie” pools, wading pools, and other water-based activities (including without limitation slip-and-slides) may be used between May 1 and Labor Day of each year subject to the following criteria:

- a. Located in the rear of the residence, no nearer to the street than the rear building line;
- b. No more than eighteen (18) inches of water;
- c. No more than twenty-four (24) inches total height;
- d. Placed upon the lot no more than forty-eight (48) consecutive hours;
- e. Water not permitted to stagnate and attract mosquitoes or other pests; and
- f. Use of the temporary pools is not otherwise in violation of any other restrictive covenant, rule, or policy applicable to the Lot.

TRUCKS, RECREATIONAL VEHICLES, BOATS, ETC.

14. Trucks and commercial vehicles (including without limitation vans, vehicles with promotional or advertising “wraps”, and trucks over three-quarter (3/4) ton), recreational vehicles (RVs), campers, trailers, boats, and similar property may be temporarily parked for no more than twenty-four (24) hours in any seventy-two (72) hour period in the driveway of a Lot for purposes of cleaning, loading, and unloading. Nothing in this section is intended to modify §4.02 of the Declaration.