

Official Notice to Property Owners of Waterfall at Lake Burton

Pursuant to the **Declaration of Covenants, Conditions and Restrictions for Waterfall at Lake Burton** (the “Declaration”), the **Bylaws**, and the **Rules and Regulations** (collectively, the “Governing Documents”), the Board of Directors issues this notice to clarify owner responsibilities and the limitations of the Property Owners Association (“POA”) during severe weather events.

Nothing in this notice expands or creates any duty on the part of the POA beyond those expressly set forth in the Governing Documents.

1. Owner Responsibility and Assumption of Risk

All roads within Waterfall at Lake Burton are **private roads owned by the POA**, and the community is located in mountainous terrain subject to rapidly changing weather conditions.

Each Owner and resident is solely responsible for the decision to remain in, enter, or travel within the community during periods of severe or hazardous weather. By choosing to do so, Owners and residents acknowledge and accept the risks associated with private roads, limited access, delayed emergency response, utility interruptions, and weather-related hazards.

2. Scope and Limitations of POA Authority

The POA is a private, nonprofit association and **is not a governmental entity**. Its authority and obligations are limited to those expressly granted in the Governing Documents.

Consistent with the Declaration:

- The POA’s maintenance obligations are limited to **Common Area**, not individual Lots.
- The POA **does not guarantee snow or ice removal** during winter storms.
- The POA **does not guarantee immediate removal of fallen trees, limbs, or storm debris**.
- Roads, driveways, and Common Areas **may remain unsafe or impassable for extended periods** depending on conditions.

The Association actively monitors weather-related road conditions and will treat roads when conditions allow safe and effective operations. Mountain weather conditions may temporarily limit access despite reasonable maintenance efforts. POA actions are discretionary and subject to weather conditions, safety considerations, contractor availability, and budgetary constraints.

3. Governmental and Emergency Services

Emergency services, law enforcement, fire protection, and public road maintenance outside the community are the responsibility of Rabun County or other governmental authorities—not the POA.

Because all roads within Waterfall at Lake Burton are private, governmental agencies may experience delayed access or limited response capability during severe weather events.

4. Access, Utilities, and Emergency Response

During severe weather events:

- Private roads may become blocked, icy, or otherwise hazardous.
- Emergency services may be delayed or unable to access certain areas.
- Power, communications, and other utility services may be interrupted for extended periods.

Owners are responsible for planning accordingly and maintaining adequate supplies, medications, and contingency arrangements.

5. Trees, Limbs, and Storm Debris

Under the Governing Documents:

Owners are responsible for the condition of their **Lots**, including trees, limbs, and debris.

- The POA may address storm debris **only within the Common Area** and only when conditions permit.

- Priority will be given to debris affecting **primary access routes**, not individual Lots or driveways.
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6. Limitation of Liability and Acts of God

The Declaration expressly provides that the POA, its Board, officers, agents, employees, and contractors **do not insure or warrant the safety, accessibility, or condition of the Property** and **assume no responsibility for conditions beyond their control**, including but not limited to weather-related events.

This includes damage, injury, or loss resulting from:

- Severe weather
- Natural events and conditions
- Utility failures
- Delayed or limited access
- Acts of God

Owners acknowledge these limitations by choosing to reside in or travel within the community during such conditions.

7. Preparedness Encouraged

Owners are strongly encouraged to:

- Monitor official weather alerts
- Avoid unnecessary travel during severe weather
- Maintain emergency supplies and medications
- Make alternate arrangements if conditions worsen

Preparedness is an essential aspect of living in a private, mountain community.

Board Authority Statement

This notice is issued by the Board of Directors pursuant to its authority under the Governing Documents to interpret, administer, and enforce Association policies in the interest of the health, safety, and welfare of the community.