

Fountaingrove Homeowners Association

Policy Resolution #1: Basketball Goals Architectural Guideline Defined

Enacted: January 1, 2009

WHEREAS, Article 5, Section 1 of the Bylaws of Fountaingrove Homeowners Association of Mecklenburg, Inc. states the business and affairs of the Association shall be managed by a Board of Directors.

WHEREAS, Article 7, Section 1(b) of the Bylaws of Fountaingrove Homeowners Association of Mecklenburg, Inc., states the Board shall exercise for the Association all powers, duties and authority vested in or delegated to this Association, and not reserved to the membership by other provisions of these By-Laws, the Articles of Incorporation, or the Declaration, including the powers set forth in Section 1 of the Act.

WHEREAS, the Declaration of Covenants, Conditions, and Restrictions, Statement of Purpose lists several restrictions set forth for the protection of the Lots and the future Owners thereof.

WHEREAS, Article X, Section 1 of the Declaration states the Association shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or thereafter imposed by the provisions of this Declaration. Failure by the Association or by any Owner to enforce any covenant or Restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

WHEREAS, the Architectural Design Guidelines, Play Equipment Guidelines states Basketball goals may only be constructed of a "transparent backboard material".

WHEREAS, there is a need for the Board to give direction in redefining the approved backboard material for basketball goals.

WHEREAS, this resolution will be in effect from the date listed above until it is rescinded, modified or amended by a majority of the Board of Directors.

NOW THEREFORE, BE IT RESOLVED THAT the following is the Board's definition of approved architectural guidelines for basketball goals:

Backboard: Transparent, white, beige, gray or black.

Post/Frame: Metal components, black color

Location: Side load garage: locate goal at the back end of the drive.

Front load garage or courtyard: locate goal at the outer side of the drive no closer to the street than the mid point of the driveway (midpoint is the total length of the driveway from the garage to the sidewalk divided by two (2))

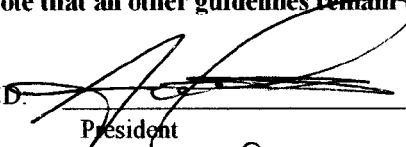
Prohibited: Goals shall not be attached to the house, garage or other structure.

Goals shall not be located in the street or right-of-way.

Screening: Goals with locations approved by the ACC shall not be subject to the screening requirements.

****Please note that all other guidelines remain the same and will be enforced as such.**

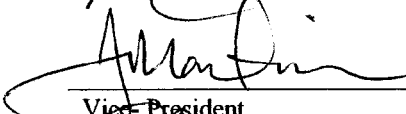
APPROVED:



President



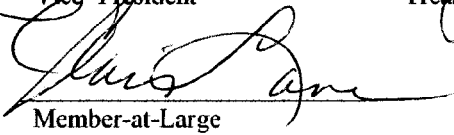
Secretary



Vice-President



Treasurer



Member-at-Large

6-11-09

Date