

Notice of Rule Changes Adopted
(Civil Code Section 13157.130(a))
January 18, 2012

The Davis-Stirling Common Interest Development Act to which the Fountaingrove II Open Space Maintenance Association (OSMA) is subject requires that the OSMA provide Notice to the OSMA members prior to and after adopting or changing operating rules and policies. On January 18, 2012, the Board of OSMA approved the following policies, which are attached in their entirety. As required by this above referenced Civil Code Section, you were provided a draft of these proposed changes with a Notice mailed November 28, 2011. This prior Notice informed you of your right to attend the Board Meeting of OSMA held January 18, 2012 to provide your comments before the Board voted upon the adoption of these rule changes.

New Policy Adopted for Internal Dispute Resolution

The Davis-Stirling Common Interest Development Act requires that associations develop a fair, reasonable, and expeditious procedure for resolving disputes between the association and any member involving their rights, duties, or liabilities under that Act, under the Nonprofit Mutual Benefit Corporation Law, or under the governing documents of the association. The attached Internal Dispute Resolution Procedure was adopted by the Board to meet this requirement.

Elimination of Policy for Improvements on Common Open Space

The Board of OSMA adopted a Policy on November 19, 2002 which enabled homeowners to supplement OSMA's landscaping expenditures with their personal funds. This Policy was eliminated because it had not been utilized for several years.

Adopted Change to Common Open Space Use Policy

The Board modified a sentence of the prior policy and inserted wording that was in the Improvement Policy which was eliminated.

Adopted Changes to Open Space Enforcement Policy and Schedule of Fines

The OSMA is charged with responsibly managing its Wildland Urban Interface as a scenic treasure, balancing preservation of a self-sustainable environment of native vegetation and habitat, with the concerns of fire safety for the Community.

The attached Amended and Restated Enforcement Policy and Schedule of Fines reflect the current fine schedule established by the OSMA Board. It references the governing OSMA documents and their parameters, including the entire text of Section 5.5 of the Fountaingrove II Open Space Declaration, and OSMA's Common Open Space Use Policy which summarizes the Permitted and Prohibited Use and Action on Open Space.

Submitted by:
Board of Directors
Fountaingrove II Open Space Association