

Long Range Planning Group

Four Seasons at Charlottesville



Mission Statement

- **Strive for a factual understanding of the current rights, responsibilities, and requirements for both the homeowners and the Four Seasons Association.**
- **Plan for the financial future of the Association under divergent paths of future development.**
- **Prepare for any potential negotiations or dealings with new builders and/or developers.**

Documents of Importance and Applicability to the Subdivision

- ✓ Association Governing Documents
- ✓ Legal Documents such as the Option and Purchase Agreement, Settlement Agreement, deeds of all kinds, proffers, zoning, assignments, memorandums, plans, plats, etc.

Topics for this Meeting of the Group

A section by section review of the DCCR and the amendments to it.

Review of other legal documents now pertaining to the property and especially those pertaining to the homeowners and to the Association.

Recorded Documents for the Property as a Whole

- Senior Residential Zoning of Property
- Subdivision Plan
- Proffers
- Titles and Recorded Deeds
- Property Purchase and Development Agreements
- Easements
- Declarations Placed on Portions of the Property
- Lis Pendes and Agreement to Settle DCCR Dispute

Association Governing Documents

- ✓ DCCR as Amended
- ✓ Articles of Incorporation
- ✓ Bylaws
- ✓ Design Guidelines
- ✓ Rules and Regulations
- ✓ Additional Board Resolutions

Additional Recorded Documents Resulting from the 2011 Settlement

- ✓ Covenant and Amendment to DCCR
- ✓ Deed of Easement granted to CLDG
- ✓ Special Declarant Rights to CLIG/CLDG
- ✓ Collateral Release of the Clubhouse Lien
- ✓ Conveyance of Parcel A to Association
- ✓ Plats and Plans for Project

Review of Annotated Documents

- Section by section review of the annotated DCCR plus the 2011 Amendment including comments and discussion.
- Review of the annotated Deed of Easement and Assignment of Special Declarant Rights.
- Review of any other recorded document as requested.

2011 Settlement Agreement Generated Official Documents that Amended the DCCR for the Property and Created Other Legal Covenants, Easements, and Titles

- Section 1: CLIG Lots > [2011 Amendment to DCCR](#)
- Section 2: Phase One Common Areas > [Deed of Gift](#)
- Section 3: Access; Easements > [Deed of Easement](#)
- Section 4: Additional Land > [2011 Amendment to DCCR and Assignment of Special Declarant Rights](#)
- Section 5: Management > [2011 Amendment to DCCR](#)
- Section 6: HOA Control, Funding; Hovnanian Home Warranties > [Association was transitioned July 2011](#)
- Section 7: M&T Agreement > [2011 Amendment to DCCR](#)
- Section 8: Clubhouse Plans > [Assignment of Plats and Plans](#)
- Section 9: Clubhouse Chattels and Tangible Personal Property [Association is currently managing these](#)
- Section 10: Performance Bonds > [K. Hovnanian did satisfy bonds in 2012](#)
- Section 11: Plans and Permits > [Assume that K. Hovnanian and HC Land did this](#)
- Section 12: Preparation and Recordation of Covenant > [2011 Amendment to DCCR was recorded](#)
- Section 13: Dismissal of Pending Litigation > [Dismissal Order issued July 11, 2011](#)
- Section 14: Releases (Investor; Hovnanian and HOA) > [Dismissal Order and Time Limit to File](#)
- Section 15: Releases (M&T; Hovnanian and HOA) > [Dismissal Order and Time Limit to File](#)
- Section 15A: Release (Investor to M&T) > [Dismissal Order and Time Limit to File](#)
- Section 16: Releases (Hovnanian and HOA) > [Dismissal Order and Time Limit to File](#)
- Section 17: Releases (4S) > [Dismissal Order](#)
- Section 18: Further Assurances > [All requirements were met](#)
- Section 19: No Liability > [Agreement recorded](#)
- Section 20: No Third Party Beneficiaries > [Satisfied](#)
- Section 21: Successors and Assigns [Agreement recorded](#)
- Section 22: Governing Law > [Agreement recorded](#)
- Section 23: Severability > [Agreement recorded](#)
- Section 24: Counterparts > [Done as needed](#)
- Section 25: Disputes > [Association chose not to use this with K. Hovnanian, neither did any other party](#)
- Section 26: Attorney Fees to Prevailing Party > [Not needed](#)
- Section 27: Notices > [Done, some where with Resident support](#)
- Section 28: Interpretation > [Not been challenged](#)
- Section 29: Amendment > [Defiantly will not happen](#)
- Section 30: Exhibits > [Proposed attached documents to be superseded by recorded documents](#)
- Section 31: Effective Date > [The K. Hovnanian-controlled Board declared approval Jun 8, 2011; the other parties to the court case concurred](#)

Future of Group

- **Continue as is for now while setting the agenda to pursue.**
- **Draft and seek establishment as a standing or ad hoc committee.**
- **Either way, determine leadership to continue with the mission.**