

**THE TLV BOARD IS REQUESTING DIRECT OWNER RESPONSE TO INSURE OUR CONTRACTED WINTER SNOW PLOWING MAKES THE MOST EFFICIENT USE OF TLV RESOURSES AS POSSIBLE**

**IMPORTANT DOCUMENT**

**ACTION BY EACH CABIN OWNER REQUIRED**

**TLV’s General Membership is expected to comply with standards of behavior that do not interfere with the rights of enjoyment and use by other owners. Similarly and to that end, it is reasonable to ensure all owners understand a common set of acceptable behavior.**

**At the end of this document is an acknowledgement document the Board of Directors is requiring to be signed by each cabin owner of record. There are only 3 possible ways to respond A) Sign and acknowledge you understand the content and will need to have the road easement in front of your driveway maintained this winter. B) Sign and acknowledge you understand the content and will not be using your cabin so the easement need not be maintained for access. C) No response, which will be accepted as you do not need the easement in front of your cabin lot drive way maintained this winter.**

**Per Bylaw section 1.2.14 notice will have been properly served when sent to the last address of record. Unless TLV receives one of these documents back through the USPS, as undeliverable, the owner will have been placed on notice and ONLY one of the 3 responses above is possible.**

* + **Section 5.2.1.1 requires that owners obtain signed documentation from their renters that they have received copy of the Bylaws / Rules and Regulations and agree to abide by them. The owner renting is in no way released from paying assessments / fines associated with non-compliance**

**Note – Owners in a past due status will not have their driveway easement maintained**

**Timberlane Winter Road Use Compliance**

All of us as “OWNERS” of property within Timberlane Village by virtue of that ownership (see section 2.1 TLV Bylaws) become mandatory members of our Home Owner’s Association (HOA) Timberlane Village, Inc., a non-profit corporation registered with Washington State. The HOA is established to manage and conduct the business of the community, including use and access by all owners. The Water System / Parks / Roads are the common properties held by the Corporation to the benefit of all owners, including their rights of use outlined in both the Bylaws and the CC&Rs (provided in the title with each owner’s purchase of property).

During the winter of each year, management of the community’s common road system becomes an issue with “some” of the individual owners who may misunderstand their personal rights / obligations in regard to how these common properties are maintained, to the benefit of all the owners. This guideline is intended to help clarify that right of use for all members.

The General Membership, in June of 2004, by vote, adopted the “Winter Parking Rules” (See Exhibit A attached) in an effort to improve compliance with reasonable community expectation that an individual’s actions not interfere with other owners’ rights of property access or use. This rule did attempt to cover expectations and consequences of non-compliance, however based on response, obviously left many gray areas resulting in actions counter to the rights of the many or the efficient management of the snow removal. Below is further clarification.

**A) RELATIONSHIP BETWEEN TLV AND THE ROAD CONTRACTOR**

* + Contractor is hired to maintain TLV roads, throughout the entire year
  + Performs only Services instructed by the TLV BOD for the entire community
  + Contractor’s performance is monitored by the TLV Road Coordinator only
  + Owners may not change the Services and Instructions established by the BOD
  + Contractor’s hours of work shall not be monitored by TLV BOD / Owners
  + Contractor can act independently to resolve threat to Owner / TLV safety
  + Owners may contract with the same contractor without TLV involvement
  + Contractor will track billable time to repair owner caused damage to roads
  + Contractor may take warning action if owner violates Winter Parking Rules
  + The Contractor is permitted to document non-compliance by owners
  + The Contract terms do NOT allow Contractor to operate on owner’s property

1. **INDIVIDUAL OWNER OBLIGATIONS TO TLV IN COMMON**
   * Overnight (10pm to 8am) Roadside Parking Prohibited, Nov. thru April
   * Temporary (under 2hrs) Roadside Parking must not delay plowing
   * All vehicles over 10,000 lbs gross weight are prohibited
   * Owner / Guest cars must be restricted to that property’s driveway only
   * Excess Guest/renter vehicles are required to use TLV overflow parking
   * TLV will provide 3 overflow parking areas to be used by guests / renters
   * All vehicles must be licensed for legal use on State or County Roads
   * Roadside Parking Restrictions do apply to all Owners / Guests and Renters
   * Owners must inform their invited guests / renters of the parking restrictions
   * Owners are responsible for fines/towing due to from violations by their guests
   * Owners must get a signed agreement that renters will comply with TLV rules
   * Abusive conduct will not be tolerated and may result in TLV Board actions

1. **WINTER SERVICES / PRIORITIES / OPERATION METHODS**

**Definitions**

**Windrow** – snow thrown from the plow blade as it makes its immediate pass (s) on the road, during a single days plowing cycle or cycles.

**Berm** – roadside accumulation of all past plowing / windrows.

**Easement** – TLV’s 60 ft wide commonly owned property, configured in various combined widths of shoulders and roadbeds.

**Driveway** – an owner’s vehicle access point to their property beginning at the juncture between the roadside easement and the owner’s personal lot line.

* Start of Contractor plowing is discretionary, but accumulations greater than 6 inches must begin within 12 hours.
* First priority will be the clearing of all of the primary roads and cul-de-sacs for 2 lane passage, but may be limited due to creek crossing or the placement of water valve boxes at intersections.
* Removal of windrow from the road easement in front of an owner’s driveway will be a secondary priority to clearing the primary road system.
* The Contractor will make every effort to remove the windrow in front of those owner’s driveways, who have acknowledged these Road Use Rules and are currently using their cabin and need immediate access. However owners may not expect the Contractor to stop road plowing
* The Contractor may NOT be expected to stop his road plowing to clear driveway access, unless it can be done at his discretion, without impacting the primary priority to clear the road as quickly as possible.
* The Contractor will only clear driveway access of the owners who have signed acknowledgement to abide with these winter regulations.
* Owners who are in a past due status of fee payments to TLV are excluded from this TLV contracted driveway access windrow maintenance.
* Owners, who had not previously indicated a desire to have their access maintained, may be placed on the list for the next plowing event by contacting the TLV Road Coordinator by Email [trimach@myfrontiermail.com](mailto:trimach@myfrontiermail.com) or phone 425-327-9447 if before 6:00 PM ONLY).
* TLV Secretary will keep the file of signed Owner use understanding forms.
* Owners who sign the agreement after the Contractors completion of his normal plowing cycle should NOT expect his return for immediate service and may be scheduled into the next cycle.
* Owners may contact the Contractor ONLY if regarding separate snow plowing agreements between them, without TLV involvement.
* TLV is not accountable nor should be contacted regarding ANY owner driveway subcontractor selection / scheduling / pricing or performance, regardless if a contractor referral has been made.
* Owners who choose to drive over either the Windrow or the Berm (if they have not requested maintenance) to their personal driveway and end up high centered will not be supported by the Contractor due to liability issues.
* Terms of the TLV contract prohibited the Contractor from entering owner’s private property or attaching to their personal property (vehicle) due to the liability issues.
* Owners clearing their driveways for parking, to accommodate their vehicle requirements, must keep that snow on their property only. Pulling the snow back out or placing it on TLV property will result in subsequent charge back to the owner for additional work caused.
* Owners who choose to park in the maintained driveway access space will not have windrow snow removed, while occupied by a vehicle, due to liability and the Contractor is instructed NOT to make an individual trip to clear the snow regardless if the vehicle has been moved.
* Similarly Owners and Guests who park in the road will not have windrow accumulations removed and are subject to the consequences and fining outlined in the Winter Parking Rules. (Attached Exhibit A).

TLV Contacts

TLV Road Coordinator Larry Mach cell 425-327-9447 or

Email [trimach@myfrontiermail.com](mailto:trimach@myfrontiermail.com)

TLV Road Emergency Alt. Dan Reid cell 206-949-7669 or

Email danreid@casualindustrees.com

TLV Board President Dan Reid cell 206-949-7669 or

Email danreid@casualindustrees.com

BELOW IS THE CONTACT POINT A LOCAL CONTRACTORS WHO PERFORMS SNOW REMOVAL / PLOWING OF DRIVEWAYS DURING THE WINTER.

TLV ASSUMES NO RESPONSIBILITY REGARDING THE CONTRACTOR’S WORK SCHEDULING / PERFORMANCE QUALITY / PRICING / BILLING / NOR COLLECTION ACTIVITY.

ALL ARRANGEMENT WILL STRICTLY BE BETWEEN THE OWNER AND CONTRACTOR OF CHOICE. OTHERS MAY BE AVAILABLE BUT ARE NOT KNOWN BY TLV AT THIS TIME

**CHARLIE PRESTON CELL # 425-350-7500**



**TIMBERLANE LODGE, INC**

**PO Box 991**

**Monroe, WA 98272-099**

**ACKNOWLEDGEMENT OF WINTER ROAD USE REGULATIONS**

**I (name) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ am the owner of lot (s) # \_\_\_\_\_\_\_.** **My signature at the bottom of this form indicates that I have read, understand, and agree to abide (be governed) by this document detailing TLV Winter Road Use Rules. This will insure that TLV resources are effectively used only on those properties that will require vehicle access, during the winter / ski season.**

**I have indicated below, one of three options to indicate whether it will be necessary or not to have the easement in front of my cabin driveway access maintained during snow plowing conditions.**

**\_\_\_\_\_ I / my family / or guest will use the cabin and will need on going access**

**\_\_\_\_\_ I / my family / will not use the cabin and do not need on going access**

**Note ; The failure to respond will result in the easement in front of your driveway NOT being maintained on a regular basis. You may sign the understanding and be added to the list subsequently at any time.**

**Completion and return of this form to the TLV HOA Mgr. by mail to the TLV address above or may be Emailed to the TLV Road Coordinator** [**trimach@myfrontiermail.com**](mailto:trimach@myfrontiermail.com) **by December 10th, 2018 is suggested to insure inclusion prior to the next snow event.**

**Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_**

**Lot # \_\_\_\_\_ Email contact for plowing issues \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Phone # \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Exhibit A - TLV Winter Road Use Rule**

**Adopted by General Membership 6/5/2004**

**TIMBERLANE LODGE, INC**



**PO Box 991**

**Monroe, WA 98272-099**

**Notice of Community rule adopted by the BOD**

**Winter Parking Rules**

We have in place community road use rules, dictating that **from mid-November thru April, all owners are responsible to ensure that they and their visitors / renters do not park on the community roads.** The problem this creates is most significant during snow conditions when cars are left on the road overnight, which hampers the plowing and limits our ability to maintain two lanes of traffic throughout the community, insuring emergency access.

The property owners are responsible to ensure that they have adequate parking for overnight guests. Thus, if your property is being used by others, you have two options available, to keep your cars parked on your property and off the community roads; A) clear plowed snow from your driveway yourself by shovel, or B) Individually contract with a contractor of your choice to keep your driveway open for you at your own expense, large enough to accommodate all visitors. **OWNER ARE RESPONSIBLE TO SELF-POLICE, as the Bylaws hold them accountable for compliance to all Community rules, by all their guests, which may not be delegated.**

**Failure of owners and their guests / renters to comply with the Road System Rules, governing prohibited overnight roadside parking, between November 15th thru April 15th may result in the owner being assessed a fine of up-to $ 50 per day per vehicle and $ 150 for motor homes left unattended (overnight) on the private Community road and shoulder easements.** **Chronic offenders will be subject to towing and subsequent storage fees, assessed to the responsible lot owner as a receivable / liability, in addition to their dues or other assessment.**