

## RESOLUTION 2016-08

### **TWIN RIVERS HOMEOWNERS ASSOCIATION AS TRUSTEE FOR THE TWIN RIVERS COMMUNITY TRUST AMENDING AND SUPPLEMENTING PARKING RESOLUTIONS 89-1 AND 91-1**

**WHEREAS**, The Board of Trustees of the Twin Rivers Homeowners Association is entrusted with the responsibility to enforce the Trust documents as authored, namely the Declaration of Restrictions and Reservation of Easements and the Indenture; and

**WHEREAS**, the Board of Trustees of the Twin Rivers Homeowners Association have, pursuant to Resolutions 89-1 and 91-1 set forth their interpretation of Section 8 of the Declaration of Restrictions and Reservation of Easements, pertaining to the parking of vehicles on any common road or parking area within the said Community; and

**WHEREAS**, when the Twin Rivers Community was developed in 1969 the number of vehicles per household family was significantly less than the number of vehicles which each family on the average currently owns and parks in the common parking lots and common roadways of the Twin Rivers Community; and

**WHEREAS**, the available number of parking spots has become increasingly more scarce and has resulted in the Twin Rivers Community Trust seeking to expand the number of parking spots within the common parking lots when there is available land; and

**WHEREAS**, certain beneficiaries residing within the Twin Rivers Community have stored vehicles in the common parking lots or common roadways which are either inoperable or not in use on a regular basis, thereby taking space from the limited parking which exists within the Community; and

**WHEREAS**, the Board of Directors of the Twin Rivers Community Trust have been asked by a number of beneficiaries to address the issue of the lack of parking spots and the storage of vehicles and/or inoperable vehicles; and

**WHEREAS**, the Board of Trustees realizes that their interpretation should not and cannot be arbitrary and capricious; and

**WHEREAS**, the Board of Directors of the Twin Rivers Community Trust have determined that it is in the best interest of the entire community that those vehicles which are stored, abandoned and/or inoperable and not being utilized, be removed from the common parking lots and common roadways in order for the beneficiaries who reside in those homes adjoining those common parking lots and common roadways be able to utilize the scarce parking spots for their vehicles which are in constant use;

**NOW, THEREFORE, BE IT RESOLVED**, that the Twin Rivers Community Trust, through the Board of Directors, shall direct that any vehicles parked in the common parking lots or common roadways which are owned by the Twin Rivers Community Trust shall have a valid New Jersey motor vehicle registration, valid license plates and a current New Jersey inspection sticker, which shall be visibly displayed and not covered or shielded; and

**BE IT FURTHER RESOLVED**, that no occupant or beneficiary shall store any vehicles in the common parking lots or common roadways and attempt to circumvent the rule

requiring the vehicle to be moved within a twenty one day period by merely starting the vehicle and turning it around or moving it to another spot within the common parking lot or common roadways while continuing to store the vehicle, but rather a vehicle must be moved out of the common parking lot or off of the common roadway; and

**BE IT FURTHER RESOLVED**, that no vehicle which is inoperative shall be pushed , towed and or otherwise brought onto Twin Rivers property; and

**BE IT FURTHER RESOLVED**, that any vehicle which is not moved for a period of twenty one days shall be considered a stored vehicle. A vehicle which has been deemed to be a stored vehicle shall be notified of the violation and be given one week to notify the Twin Rivers Office that it has been moved. If the Twin Rivers Office does not get notification from the vehicle owner that it has been moved the vehicle may be "booted" and/or towed along with being subject to fines, costs and possible attorneys fees. Once a stored vehicle has been identified it must have the odometer meter read and before being allowed to remain on Twin Rivers property it must be driven a minimum of fifty (50) miles per month. Once a vehicle has been identified as a stored vehicle the resident shall be responsible to stop at the Twin Rivers Office once a month for a period of six months subsequent to the vehicle being returned to Twin Rivers property to have the odometer checked regarding the mileage. During the subsequent six month period the resident shall be obligated to bring the vehicle to the Twin Rivers Office if Twin Rivers receives a complaint about the vehicle being stored in order to check the odometer and vehicles documents. Once the vehicle is in compliance for a 12 month period the restrictions set forth in this paragraph shall be removed. If the vehicle is determined to be a stored vehicle thereafter the process would begin again; and

**BE IT FURTHER RESOLVED**, that any resident who desires to file a complaint regarding a stored vehicle shall be required to fill out a form stating the make, model, color and license plate of the vehicle and where the vehicle is located. The complaining party shall provide their name, address and contact information. The notice may be done via e mail.; and

**BE IT FURTHER RESOLVED**, that any beneficiary or occupant of a living unit within the Twin Rivers Community who shall violate this Resolution or Resolutions 89-1 or 91-1, shall be subject to fines upon notification of the violation and a reasonable opportunity to cure the violation, and the vehicle may be towed and removed from the common parking lots and common roadways at the owner's cost and expense; and

**BE IT FURTHER RESOLVED**, that any beneficiary or occupant who violates the Resolutions referred to above shall also be subject to a civil complaint being filed, which may seek damages, attorney's fees, costs of suit, and any other relief which a Court may deem equitable and just.

Duly approved by the Board  
of Trustees at their meeting  
of July 14, 2016.

ATTEST:

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Marc Platizky, Secretary

*Amends Resolution 2014-05 approved at March 13, 2014 Board of Directors meeting.*