

## COUNTRYSIDE PROPRIETARY

### RESOLUTION NO. 226

#### **AUTHORIZATION OF PROPRIETARY COUNSEL**

WHEREAS, Article III of the Declaration of Covenants, Conditions and Restrictions of the CountrySide Proprietary gives the Board of Directors all powers for the conduct of the affairs of the Proprietary which are enabled by law and which are not specifically reserved to members; and

WHEREAS, the Board of Directors of the Proprietary desires to authorize the Proprietary's counsel to settle cases involving architectural violations which previously have been referred to the Proprietary's counsel for action, provided that settlement of said cases proceed in conformance with the parameters outlined in this Resolution.

NOW, THEREFORE, be it RESOLVED that Douglas L. Fleming, Jr., legal counsel to the CountrySide Proprietary, be authorized to enter into agreements on behalf of the Proprietary to resolve architectural violation cases that have been referred to Mr. Fleming's office for action in accordance with the following parameters:

#### **I. Terms of Settlement**

The Proprietary's counsel is hereby authorized to negotiate with members who are the subject of architectural violation actions that have been referred to the Proprietary's counsel. The Proprietary's counsel is authorized to forgive per diem monetary charges that have been imposed under the provisions of Section 55-513 of the 1950 Code of Virginia, as amended ("Property Owners' Association Act") to a maximum of Two Hundred Dollars (\$200.00), but the Proprietary's counsel is authorized to use his discretion should he believe it in the Proprietary's interest not to curtail monetary charges, or to curtail monetary charges in an amount less than Two Hundred Dollars (\$200.00).

#### **A. Attorney Fees**

Any curtailment provided pursuant to Paragraph 1 shall be made only on the condition that the Proprietary member reimburse the Proprietary its out-of-pocket attorney's fees incurred as a result of the architectural violation.

#### **II. Removal of Architectural Violation**

No settlement with any Proprietary member shall be made unless the terms of said settlement provide for the removal of the architectural violation at issue in the particular action. Counsel for the Proprietary may consult with the Board of Directors as to any issues germane to the removal/remedy of the architectural violation should counsel deem it in the Proprietary's best interest.

**CountrySide Proprietary  
Resolution 226  
Page 2**

ATTEST:

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PRESIDENT: Boyd D. Garrett, Sr.

\_\_\_\_\_  
DATE:

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SECRETARY: Becky Wellhouse

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DATE: