

TO: Residents of Venice Shores Subdivision, Harrison Township, MI 48045

FROM: Venice Shores Property Owners Association Board of Directors

DATE: June 8, 2010

SUBJECT: Deed Restriction Violation Policy

It has come to our attention that the policy for notification of Deed Restriction Violations has not been effectively communicated to the residents of Venice Shores. We would like to take this opportunity to summarize the policy, and the rationale behind it.

Deed Restriction Violation Policy

Violations come to the attention of the VSPOA Board of Directors in several ways:

- Complaint by a resident of the subdivision
- Visual survey by Board of Director member(s) (usually after several common complaints)

Once a violation is noted:

1. A general letter is sent to the homeowner, which:
 - a. Details type of violation
 - b. May include photograph
 - c. Establishes date by which violation must be corrected
2. After established date, VSPOA Board Member(s) will confirm that the violation has been corrected:
 - a. If YES, letter is filed and no further action is taken
 - b. If NO, a second letter is sent to the homeowner
3. Second notice is sent Certified Mail, with copy to VSPOA Attorney, and consists of:
 - a. Notice of continued violation
 - b. Notice that violation has been witnessed and properly documented
 - c. Establishes date by which violation must be corrected
 - d. Outlines penalties for failure to correct violation, which includes legal action that could result in:
 - i. Court order for removal of violation
 - ii. Permanent Injunctive Order against future violations
 - iii. Damages in the form of legal and court costs
 - iv. Damage to property values resulting from violation
4. After established date, VSPOA Board Member(s) will confirm that the violation has been corrected:
 - a. If YES, letter(s) are filed and no further action is taken
 - b. If NO, VSPOA Attorney is notified and legal action is commenced
5. Once legal action has commenced, the homeowner can be responsible for costs incurred up to the point of correction of violation.

It is the intent of the VSPOA Board of Directors to treat each lot owner fairly and consistently when evaluating Deed Restriction Violations. We must also do this in a timely manner with each resident being given the same amount of time to correct a violation. We believe the above policy enables us to uniformly notify residents when a violation is reported, and to accurately document the complaint in the event of non-compliance.

In the past, a Board member may have verbally informed a homeowner of a violation, particularly if he/she is a neighbor. After careful consideration, it was determined that such a policy may be seen as discriminatory, and the above new policy was agreed upon. Additionally, it simply was not effective.

We understand that there are instances in which a restriction is ‘temporarily’ being violated due to unforeseen circumstances, such as guest boats. The Board does not wish to police the subdivision, nor is it our intent to cite residents for these types of violations.

Venice Shores’ deed restrictions were developed to ensure long-term appearance and value within the subdivision. Each homeowner has a responsibility to read and understand these restrictions. Questions regarding deed restrictions should be directed to the members of the VSPOA Board of Directors via mail or at monthly meetings. The Board welcomes residents’ participation in keeping Venice Shores the best place to live on Lake St. Clair!

Venice Shores Property Owners Association

John Gabor, President