

**FRANKLIN FARM FOUNDATION  
ADMINISTRATIVE RESOLUTION #32A**

**ROSEMERE PARKING POLICY**

WHEREAS, Article III, Section 3(c)(2) of the Declaration of Covenants and Restrictions empowers the Board of Trustees of the Franklin Farm Foundation with the authority to establish rules and regulations for the use of property; and

WHEREAS, Article IV of the Rosemere Supplementary Declaration of Covenants and Restrictions provide that "...the Foundation shall promulgate such rules and regulations as needed to regulate the use of any parking areas that may be constructed or authorized in Neighborhood Common Area for the benefit of all Owners, which rules and regulations may include assignment of parking spaces"; and

WHEREAS, Article V, Section 16 of the Rosemere Supplementary Declaration of Covenants and Restrictions provide that "...the Board of Trustees shall adopt rules, including but not limited to rules to implement the provisions of this Article.... All such rules shall be placed in the Book of Resolutions and shall be binding on all Members, except where expressly provided otherwise in such rules."; and

WHEREAS, Article 1, Section 3, of Administrative Resolution 1B allows the regulation of Neighborhood Common Area through an Administrative Resolution; and

WHEREAS, 85% of the Rosemere Neighborhood voted on the issue of assigned parking with 76% of those voting being in favor of assigned parking; and

WHEREAS, 86% of the owners voting from Elevation Lane agreed to adopt two reserved parking spaces per unit. The survey was conducted in April 2003 and verified by the Foundation office.

WHEREAS, 50% of the owners voting from Rosemere Court agreed to adopt two reserved parking spaces per unit. The survey was conducted in June 2008 and verified by the Foundation office.

NOW THEREFORE, BE IT RESOLVED THAT at the request of the Rosemere Neighborhood Board, the following vehicle parking and operating policies are hereby adopted for the Rosemere Neighborhood.

**ARTICLE I. GENERAL PROVISIONS**

- A. Each lot will be assigned up to two (2) parking spaces as indicated on the Rosemere Parking lot designation plan, by court.

B. Only Approved Vehicles may be parked. An Approved Vehicle is defined as any conventional passenger vehicle, motorcycle, personal van or pickup truck.

C. Attached hereto as Exhibit A is the Rosemere Reserved Parking Space Assignment List for those Rosemere Neighborhood Streets, which, as of the date of this resolution, have reserved parking. Management shall maintain a list of these assignments, together with a list of the location and marking of unassigned parking spaces within each court and a means of identifying the parking spaces assigned to each lot or dwelling unit without marking each parking space with the address of the lot or dwelling unit to which it is assigned.

D. (i) The Rosemere Neighborhood parking plan permits the owners of lots in each court to determine whether or not to seek assigned parking within their court. At the request of the Rosemere Neighborhood Board (“RNB”), the Board of Trustees may change a court’s plan. The request should identify with specificity the elements of the court’s plan with respect to which change is sought, including whether assigned parking is sought and how many assigned parking spaces per lot or dwelling unit is sought. If the Board of Trustees determines to consider the change, information detailing the proposed change shall be sent to the owners of all lots within the court, together with ballots by which the owners may vote on the proposed change. Provided that at least fifty percent (50%) of the owners of lots within the court submit ballots and at least two-thirds of those who submit ballots vote in favor of the change, the Board of Trustees, in its discretion, may adopt a change to the neighborhood plan as it applies to that court. Promptly upon action by the Board of Trustees, the RNB shall be advised of the Board’s action and a description of the action shall be included in the next published issue of the Franklin Farm *Almanac*.

(ii) If an owner wishes to change the parking space(s) that are assigned to the owner’s lot under a court’s parking plan, the owner shall submit a petition to the RNB detailing the proposed change. The petition shall be signed by all owners whose parking space assignments would be affected if the change is approved. If the RNB approves the proposed change, it shall recommend to the Board of Trustees that it amend the parking plan for that court to change the parking space assignments. Any owner of a lot in the court whose plan would be so altered shall be entitled to comment in writing upon the proposed change to the RNB and to the Board of Trustees. The Board of Trustees, in its discretion, may adopt or reject the proposed change in parking space(s) assignment.

## ARTICLE II. RESTRICTIONS

A. No vehicle shall be parked in violation of any posted sign or designated fire lane.

B. No vehicle shall be parked on any area designated for pedestrian use.

C. No vehicle shall be parked in such a manner that it obstructs access to neighborhood mailboxes, the safe, free-flow of moving vehicular traffic or obstructs the movement of other vehicles into and out of marked parking spaces.

D. No signs, initials, numbers, storage containers, or any other additions or alterations to Common Area parking spaces may be painted, displayed, or erected without the prior written consent of the Foundation. This restriction does not prohibit a uniform numbering or lettering system that may be applied to these parking spaces by the Foundation.

E. Parking Spaces are designated only for the parking of vehicles. No other items or articles of any kind may be stored on the Common Area parking spaces.

F. All motor vehicles shall be parked within the spaces marked so as not to obstruct or reduce the adjacent spaces for other vehicles.

### **ARTICLE III. ENFORCEMENT**

#### **A. Authority.**

The Rosemere Neighborhood Board shall administer all enforcement provisions and restrictions of this Parking Policy.

#### **B. Enforcement Procedures**

##### **I. The following procedures apply:**

A. The Rosemere Neighborhood Board shall set the enforcement procedures.

B. Changes to the enforcement procedures require a two-thirds majority vote of the Rosemere Neighborhood Board.

C. The initial enforcement procedures are attached and made part of this administrative resolution.

##### **II. These steps are not applicable in the case of a vehicle parked so as to obstruct the entrance or exit, pedestrian doors of any building, that could be used in a situation of emergency, or the free movement of another vehicle that is properly parked, or parked in a residents designated assigned parking space, if the resident requests the vehicle be removed. The vehicle so parked will be subject to immediate removal by towing; however, the Rosemere Neighborhood Board shall notify the Owner as soon as possible thereafter if the Owner can be identified.**

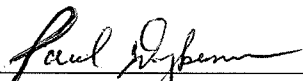
##### **III. When a vehicle is removed by towing, the Rosemere Neighborhood Board shall notify the appropriate officer of the Police Department as to the facts of the removal, as provided by Section 46.2-1231 of the Code of Virginia (1950), as amended.**

C. OTHER ENFORCEMENT PROCEDURES Notwithstanding the procedures described herein above, nothing is to be construed as preventing or discouraging the Foundation, the Rosemere Neighborhood Board or any resident from reporting any violation of this Resolution to the Fairfax County Police Department, the Commonwealth of Virginia Department of Motor Vehicles, or any other appropriate political subdivision where such violations may likewise constitute a violation of the laws or ordinances of the Commonwealth of Virginia or those of an appropriate political subdivision.

#### ARTICLE IV. INDEMNITY

If any vehicle owned or operated by an Owner, or by such Owner's Family members, Tenants, guests, invitees or licensees shall be parked, operated or abandoned in such a manner as to violate the Declaration of Covenants and Restrictions, Bylaws, Rules and Regulations or Resolutions, the Foundation and its Trustees, members, employees, agents and independent contractors, and the Rosemere Neighborhood Board shall be held harmless by such Owner for any and all damages or losses that may ensue, and any and all rights in connection therewith that the owner or driver may have under the provisions of the state or local laws and ordinances are hereby expressly waived. The Owner shall indemnify the Foundation and its Trustees, members, employees, agents and independent contractors, and the Rosemere Neighborhood Board against any liability, which may be imposed as a result of such parking, operation or abandonment, and any consequences thereof.

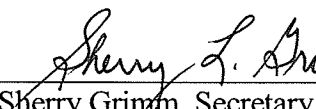
June 18, 2008  
Date

  
Paul Dykeman, President

Attest:   
Jerry Schmitt, Executive Director

I hereby certify that a vote was duly taken and the above Resolution was adopted by a vote of two-thirds of the Trustees of the Board of Trustees at the meeting of the Board of Trustees on the 18<sup>th</sup> day of June, 2008.

SEAL

  
Sherry Grimm, Secretary

Book of Minutes No. 51  
Meeting No. 335

*Attachment 1* to Administrative Resolution 32A

## Rosemere Parking Policy Enforcement Procedures

1. Any vehicle parked in violation of any General Provision or Restriction of Administrative Resolution #32A is subject to immediate removal by towing.
2. Individual residents may call the towing company to request removal of vehicles parked in their reserved spaces. The tow company has been provided with a listing of house numbers and their reserved spaces. The resident must be available to sign forms provided by the tow operator attesting that he/she is the assignee of the reserved space(s) in question. The tow operator will not remove any vehicle from an assigned space without the requester's signature.
3. Requests for removal of vehicles parked in violation of other restrictions as enumerated under Policy Resolution #32A, Article II ("Restrictions") must come from the Rosemere Neighborhood Board ("RNB").

**ROSEMERE NEIGHBORHOOD RESERVE PARKING  
SPACE ASSIGNMENT LIST**

**ELEVATION LANE**

house no.	assigned spaces	house no.	assigned spaces
13400	761 & 762	13441	719 & 720
13401	749 & 750	13443	717 & 718
13402	763 & 764	13445	715 & 716
13403	751 & 752	13447	713 & 714
13404	765 & 766	13449	711 & 712
13405	753 & 754	13451	709 & 710
13406	767 & 768	13452	798 & 799
13407	755 & 756	13453	707 & 708
13408	769 & 770	13454	800 & 801
13409	757 & 758	13455	705 & 706
13410	771 & 772	13456	802 & 803
13411	759 & 760	13457	703 & 704
13412	773 & 774	13458	804 & 805
13413	747 & 748	13459	701 & 702
13414	775 & 776		
13415	744 & 746		
13416	777 & 778		
13417	743 & 744		
13418	779 & 780		
13419	741 & 742		
13420	781 & 782		
13421	739 & 740		
13422	783 & 784		
13423	737 & 738		
13424	785 & 786		
13425	735 & 736		
13426	787 & 788		
13724	733 & 734		
13428	789 & 790		
13429	731 & 732		
13430	791 & 792		
13431	729 & 730		
13432	793 & 794		
13433	727 & 728		
13434	796 & 797		
13435	725 & 726		
13437	723 & 724		
13439	721 & 722		

**ROSEMERE COURT**

house no.	assigned spaces
3301	806 & 807
3303	808 & 809
3305	810 & 811
3307	812 & 813
3309	814 & 815
3311	816 & 817
3313	818 & 819
3315	820 & 821
3317	822 & 823
3319	824 & 825