

Summit Chase Cluster Association Bylaws

Article I Offices

The principal office of the corporation in the Commonwealth shall be located in the County of Fairfax. The corporation may have such other offices, either within or without the Commonwealth of Virginia, as the Directors may from time to time determine.

The corporation shall have and continuously maintain in the Commonwealth of Virginia a registered office and a registered agent whose office is identical with such registered offices, as required by the Virginia Non-Stock Corporation Act. The address of the registered office and the registered agent may be changed from time to time by the Directors and the registered office may be, but need not be, identical with the principal office of the corporation in the Commonwealth of Virginia.

Article II Membership

Section 1. Membership in the Corporation

The following shall be members of the corporation:

- A. Reston Land Corporation or the successor in interest to Reston Land Corporation in the development and construction of dwelling units on any property within Blocks 7A and 7B, Section 39, Reston (hereinafter referred to as the “Developer”);
- B. All persons owning of record (whether in fee simple or life estate) any lot on the property shown on the present or any subsequently recorded Deed of Subdivision of land within Blocks 7A and 7B, Section 39, Reston, for which cluster common area is conveyed to the Cluster Association (the said land shown on any such Deed of Subdivision being hereinafter referred to as the “Property”). A person taking title to any lot as security for the payment of money or performance of an obligation shall not be a member of the corporation.

No person or other entity shall be a member of the corporation with respect to each lot after he ceases to be the owner of record of such lot on the Property.

The Directors of the corporation may, after affording the member an opportunity to be heard, suspend any person from membership in the corporation during any period of time when there exists a violation of any of the provisions of the Deed of Subdivision (including, but not limited to, the failure to make any payment to the corporation when due and payable under the terms of the Deed of Subdivision) with respect to the lot he owns or when he is in violation of any rule or regulation adopted by the corporation with respect to the Property.

Each member of the corporation, by becoming such, agrees that he shall be personally responsible for the payment of the charges created under the Deed of Subdivision with respect to the lot he owns and for compliance by himself, his family, guests, and invitees, with the provisions of the said Deed and the rules and regulations adopted by the corporation with respect to the Property.

The qualifications set forth herein for membership in the corporation shall be the only qualifications for such membership.

Section 2. Voting Rights

The members of the corporation shall have the right to vote for the election of Directors. Each member of the corporation shall have one vote, except that:

- A. Any person owning more than one lot shall have the number of votes equal to the number of lots owned.
- B. When any lot is owned of record in joint tenancy or tenancy-in-common, or in any other manner of joint or common ownership, such owners shall collectively be entitled to only that number of votes to which one person would be entitled were he the owner of such lot. Such vote shall be exercised by the majority action or consent of the owners of record of such lot who are entitled to vote with respect thereto.

Article III Meeting of Members

Section 1. Annual Meeting

The first annual meeting of the members shall be held when 90% of the dwelling units erected or to be erected on the Property have been sold and conveyed to parties other than the Developer, and shall be held in the year in which such percentage of sales and conveyances is reached. Subsequent annual meetings shall be held each year thereafter at a date and time established by the Board of Directors for the purpose of electing Directors and for the transaction of such other of such other business as may come before such meeting. If the date fixed for the annual meeting shall be a legal holiday in the place where the meeting is to be held, such meeting shall be held on the next succeeding business day. If the election of Directors shall not be held on the day designated herein for the annual meeting or at any adjournment thereof, or pursuant to Section 5 hereof, the Board of Directors shall cause the election to be held at a special meeting of the members held as soon thereafter as conveniently may be.

Section 2. Special Meetings

Special meetings of the members may be called by the President, the Board of Directors, or members of the corporation holding no less than one-fifth (1/5) of the votes.

Section 3. Place of Meeting

The Board of Directors may designate any place within or without the State of Virginia as the place for annual or special meeting called by the Board of Directors and the President may designate any place within or without the State of Virginia as the place of meeting for any special meeting called by him. If no designation is made or if a special meeting be called by the members of the corporation, the place of meeting shall be the principal office of the corporation.

Section 4. Notice of Meetings

The corporation shall publish notice of any annual or special meeting of members in the manner provided by law. Written notice stating the place, day, and hour of the meeting and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall also be mailed or delivered not less than ten (10) or more than fifty (50) days before the date of the meeting, except as otherwise specified by law, either personally or by mail, by or at the direction of the President or the Secretary or the person calling the meeting, to each member of the corporation at his address as shown on the records of the corporation. A member may, in a writing signed by him, waive notice of any meeting before or after the date of meeting stated therein. Failure to mail or deliver any notice to any member shall not affect the validity of the published notice.

Section 5. Informal Action by Members

Any action required or permitted by law to be taken at a meeting of the members of the corporation may be taken without a meeting, if a consent in writing setting forth the action so taken be signed by all the members of the corporation.

Section 6. Quorum and Manner of Acting

Members holding one-fifth (1/5) of the total votes shall constitute a quorum at any meeting. If quorum is not present at any meeting of members, a majority of the members present, may adjourn the meeting from time to time without further notice. The act of a majority of the members present at a meeting at which a quorum is present shall be the act of the members, unless the act of a greater number is required by law, or by the Article of Incorporation of the corporation, or by these Bylaws.

Section 7. Conduct of Meetings

The Directors may make such regulations as they deem advisable for any meeting of members in regard to proof of membership in the corporation, evidence of the right to vote, the appointment and duties of inspectors of votes, and such other matters concerning the conduct of the meeting as they shall deem fit. Such regulations shall be binding upon the corporation and its members.

**Article IV
Directors****Section 1. General Powers**

The affairs of the corporation shall be managed by its Directors.

Section 2. Number and Tenure

The number of Directors shall be five (5). The length of the initial term of each of the Directors constituting the initial Board of Directors shall be as set forth in paragraph 6 of the Articles of Incorporation. After the designation of the initial Board of Directors the first election of Directors by the members of the corporation shall be held at the annual meeting of the members provided for in Section 1 of Article III herein. The Directors elected by the members at the first

election of Directors and thereafter, shall be elected for a term of three (3) years, or for the unexpired term of any resigning Director, and until their respective successors are elected. Any vacancy occurring in the initial or subsequent Board of Directors may be filled at any meeting of the Board of Directors by affirmative vote of a majority of the remaining Directors, though less than a quorum of the Board of Directors, or by a sole remaining Director and if not previously so filled, shall be filled at the next succeeding meeting of the members of the corporation. Any Director elected to fill a vacancy shall serve as such until the expiration of the term of the Director, the vacancy in whose position he was elected to fill.

Section 3. Regular Meeting

A regular annual meeting of the Board of Directors shall be held immediately following the annual meeting of members at such time and place, within or without the State of Virginia, as may be specified in the notice thereof. The Board of Directors may provide by resolution the time and place, either within or without the State of Virginia, for the holding of additional regular meetings of the Board without other notice than such resolution.

Section 4. Special Meetings

Special meetings of the Board of Directors may be called by or at the request of the President or any two Directors. The person or persons authorized to call special meetings of the Board may fix any place, within or without the State of Virginia, as the place for holding any special meeting of the Board called by them.

Section 5. Notice

Notice of any meeting of the Board of Directors for the holding of which notice is required shall be given at least two days previous thereto by written notice delivered personally or sent by mail or telegram to each Director at his address as shown on the records of the corporation. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed, with postage thereon prepaid. If such notice be given by telegram, such notice shall be deemed to be delivered when the telegram is delivered to the telegraph company. Any Director may, in a writing signed by him, before or after the time of meeting stated therein, waive notice of any meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board need be specified in the notice or waiver of notice of such meeting, unless specifically required by law, by the Articles of Incorporation of the corporation or by these Bylaws.

Section 6. Quorum

Except as otherwise provided by law or by the Articles of Incorporation of the corporation, or by these Bylaws, a majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the Directors are present at said meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice.

Section 7. Manner of Action

The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law, or by the Articles of Incorporation of the corporation or by these Bylaws.

Section 8. Compensation

Directors as such shall not receive any stated salaries for their services, but by resolution of the Board of Directors a fixed sum and expenses of attendance, if any, may be allowed for attendance at each regular or special meeting of the Board; but nothing herein contained shall be construed to preclude any Director from serving the corporation in any other capacity and receiving compensation therefor.

Section 9. Informal Action by Directors

Any action required by law to be taken at a meeting of Directors, or any action which may be taken at a meeting of Directors, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all the Directors.

Section 10. Other Powers

In addition to the powers heretofore set forth in this Article IV the Board of Directors shall have all those powers and rights specifically set forth in Article VII, Section VII. 1 (d) (2) of the Deed of Amendment to the Deeds of Dedication of Reston recorded in Deed Book 6072 at page 69 among the land records of Fairfax County which powers and rights are incorporated herein by reference as if specifically set forth **in haec verba**. To the extent the powers and rights contained in this Section 10 may be in conflict with any other powers and rights set forth in these Bylaws, the powers and rights of this Section 10 shall govern.

Article V Officers

Section 1. Officers

The officers of the corporation shall be a President, one or more Vice Presidents (the number thereof to be determined by the Board of Directors), a Secretary and a Treasurer. The Board of Directors may elect such other officers, including one or more Assistant Secretaries and one or more Assistant Treasurers, as it shall deem desirable, such officers to have the authority and perform the duties prescribed from time to time by the Board of Directors. Any two or more offices may be held by the same person, excepting the offices of the President and Secretary. The President shall be a Director of the corporation. Other officers may be, but need not be, Directors of the corporation.

Section 2. Election Term of Office and Vacancies

The officers of the corporation shall be elected annually by the Board of Directors at the regular annual meeting of the Board of Directors. Each officer shall hold office until his successor shall

have been duly elected. A vacancy in any office arising because of death, resignation, or otherwise may be filled by the Board of Directors for the unexpired portion of the term.

Section 3. Powers and Duties

The officers of the corporation shall, except as otherwise provided by law, by the Articles of Incorporation, by these Bylaws, or by the Board of Directors, each have such powers and duties as generally pertain to their respective offices, as well as such powers and duties as may from time to time be specifically conferred or imposed by the Board of Directors. The President shall be the chief executive officer of the corporation.

Article VI Committees

Section 1. Committees of Directors

The Board of Directors, by resolution adopted by a majority of all of the Directors in office, may designate one or more committees, each of which shall consist of two or more Directors, which committees, to the extent provided in the resolution, shall have and exercise the authority of the Board of Directors in the management of the corporation, provided, however, that no such committee shall have the authority of the Board of Directors to approve an amendment to the Articles of Incorporation of the corporation or a plan of merger or consolidation.

Section 2. Other Committees

Other committees not having and exercising the authority of the Board of Directors in the management of the affairs of the corporation may be designated by a resolution adopted by the Board of Directors, to perform such duties and to have such powers as may be provided in the resolution.

Section 3. Rules

Each committee may adopt rules for its own government not inconsistent with the terms of the resolution of the Board of Directors designating the committee or with rules adopted by the Board of Directors.

Article VII Certificates of Membership

Section 1. Certificates of Membership

The Board of Directors may provide for the issuance of certificates evidencing membership in the corporation, which shall be in such form as may be determined by the Board. Such certificates shall be signed by the President or a Vice President and by the Secretary or an Assistant Secretary and shall be sealed with the seal of the corporation. All certificates evidencing membership shall be consecutively numbered. The name and address of each

member and the date of issuance of the certificate shall be entered on the records of the corporation.

If any certificate shall become lost, mutilated or destroyed, a new certificate may be issued therefor upon such terms and conditions as the Board of Directors may determine.

Article VIII Seal

The Board of Directors shall provide a corporate seal, which shall be in the form of a circle and shall have inscribed thereon the name of the corporation, the year of its incorporation, and the words "Corporate Seal –Virginia".

Article IX Additional Rights, Duties and Powers

All those rights, duties, powers and obligations set forth in Article VII (Clusters) of the Deed of Amendment to the Deeds of Dedication of Reston recorded among the land records of Fairfax County in Deed Book 6072 at page 69 and not heretofore specifically set forth in these Bylaws are incorporated herein by reference as if specifically set forth **in haec verba**. To the extent such powers, duties, rights and obligations contained in this Article IX may be in conflict with any other powers, duties, rights and obligations set forth in these Bylaws, the powers, duties, rights and obligations of this Article IX shall govern.

Article X Amendments

These Bylaws may be altered, amended, or repealed and new Bylaws may be adopted by the Board of Directors.

Article XI Assessments

Section 1. Cluster Fees

As set forth in the Deed of Dedication, each member in the corporation shall be obligated to pay 1/90 of the sum which the Board of Directors estimates as necessary to meet the annual expenses of the Association. Cluster fees shall be payable quarterly to avoid late charges. Other special assessments may be levied for specific purposes pursuant to approval of those members present at a duly called annual or special meeting.

Section 2. Late Charges

Penalties shall be imposed for late payment of quarterly dues and special assessments. Payments not received by the will be subject to a late charge. Penalties shall continue to accrue monthly until the principal and all outstanding penalties are paid in full. Should it become necessary to retain the services of an attorney to collect delinquent fees, the member will be liable for any

costs of collection and attorney's fees incurred. In the event that legal action is required to collect assessments, the Board of Directors may, at their discretion, determine that the entire balance of cluster fees for the remainder of the fiscal year is due in full.

Section 3. Annual Budget

The Board of Directors shall determine the fiscal year for the Association. At least sixty (60) days prior to the beginning of the fiscal year, the Board of Directors shall prepare an operating budget setting forth the anticipated expenses for the coming year.

Section 4. Notice of an Increase in Cluster Fees

The Board of Directors shall determine the amount of the annual cluster fees and notify the members of any increase at least thirty (30) days prior to the date on which the higher fee is due.

Section 5. Reserve Funds

The Association shall establish and maintain a reserve fund for replacement and maintenance of the common elements. That portion of the annual budget allocated as reserves shall be deposited in a special account during the course of the year.

Article XII Covenants

Any community consisting of privately owned and commonly owned property requires a set of rules to insure that the common interest of all is served. In cognizance of the fact that the good sense of homeowners in the community will, in most cases, require little guidance, the Board of Directors has adopted a minimal set of rules.

These covenants supplement those already established by the Reston Association (RA). Additional covenants may be added as deemed necessary by the Board of Directors.

Section 1. Parking

- A. All vehicles parked in the Summit Chase lot must display
- B. Vehicles must be parked in designated spaces, not along curbs or in roadways.
- C. Inoperable, junk vehicles may not be stored in the Summit Chase parking lot. Any vehicle which does not move for a period of two (2) weeks or more may be presumed to be inoperable.
- D. Commercial vehicles, boats, campers, trailers recreational vehicles may not be parked in the lot at any time.
- E. Repairs may be performed in the parking lot so long as they can be completed in twelve (12) hours. Vehicles may not be left on blocks unattended at any time.
- F. Oil and other liquids from vehicles must be contained and properly disposed of. Storm drains may not, under any circumstances be used to dispose of oil or antifreeze.
- G. Vehicles may not be driven over curbs or on Cluster property.

- H. Violation stickers will be placed on any vehicle which is not in compliance with the regulations stated above. The owner will have twenty-four (24) hours time to correct the problem. If the violation persists, the vehicle may, at the Board's discretion, be towed from Cluster property at the owner's expense.

Section 2. Pets

- A. Fairfax County leash laws enforced on Summit Chase property. not be allowed to run freely through the at any time.
- B. Pets must be walked in common area along the outside perimeter of the . Owners must promptly cleanup after their animals if accidents occur in other areas.
- C. Pets may not be left tied up, unattended in the common area at any time.
- D. Any becomes a nuisance should be reported to the management company.

Section 3. Exterior Changes

- A. RA covenants will be strictly enforced by the Summit Chase Board of Directors. Application for all exterior changes outlined in the Reston Association Handbook must be made to the RA Design Review Board. Copies of all applications should be submitted to the Summit Chase Cluster Association Board of Directors.

The following is a *partial* list of projects requiring approval by the RA Design Review Board: decks; patios; fences; alterations to existing decks, patios or fences; use of landscape timbers or railroad ties; repainting doors or trim (exterior colors are restricted to those approved for the cluster); installation of storm windows or doors, attic fans or roof ventilators; skylights; antennas; and replacement or removal of exterior fixtures.

- B. Trees shrubs may not be planted anywhere on common grounds without the prior approval of the Board of Directors.

Section 4. Trash

The Board of Directors has contracted with a trash removal company to provide service to the entire Cluster. The following rules regulating trash collection have been adopted:

- A. Trash will be picked up at the curb .Trash should be placed outside the home on *the morning of pickup*, or if necessary, *after the evening before*. Under no circumstances should trash be left out for a longer period of time.
- B. Trash should be packed into plastic trash bags which must be sealed. Clean, well-maintained cans with scalable lids may also be used.
- C. Trash cans should be removed from the curb area on the day of trash collection.
- D. Trash cans and bags may not be stored in front of, or beside, any townhouse prior to being placed out for collection. Trash should not be stored where it is visible from the common area.
- E. All cat litter must be placed in sealed plastic bags for collection.

- F. If trash collection falls on the following holidays, trash will be removed on the next scheduled collection day: Independence Day, Thanksgiving, Christmas and New Year's Day.

Section 5. Children

- A. Residents are responsible for their children and for seeing to it that they do not damage, deface, or destroy commonly-owned or individually-owned property in the Cluster. Parents must see to it that children do not leave bikes and other toys in common areas.
- B. Children should not be allowed to climb trees or crash through shrubbery, for both the sake of the plants and the children.

Section 6. Property Maintenance

- A. Front and side yards will be maintained by the Homeowners Association. It is each homeowner's responsibility to maintain mulch beds as well as the backyard within the fenced area. Uncut grass, weeds, dead flowers, unpruned trees, etc., detract from the appearance and value of not only the individual property, but also neighboring property and the Cluster as a whole.
- B. Siding, shutters, trim, paint, fences and decks must be well maintained and replaced or repaired when necessary.
- C. Engines, tires, bricks, and other debris or unsightly material must not be stored where visible to others from the common area.
- D. No covering may be placed over the exterior of any window or glass door, and interior window coverings must not detract from the exterior appearance.

Section 7. Signs

- A. When a home is for sale or rent, only one (1) real estate sign may be displayed on the individual lot. No other real estate sign may be placed on Cluster property. All signs for properties sold or rented are to be removed within one (1) working day of completion of the transaction.
- B. No signs of any kind may be attached to posts, trees or other structures within the Cluster without prior approval from the Board of Directors.

Section 8. Rental Properties

- A. Owners are responsible for the actions of tenants and their guests. All leases for Summit Chase properties must contain a complete set of both Cluster and RA covenants and bylaws.
- B. Copies of all leases must be filed with the Board of Directors within fifteen (15) days of ratification of a contract.

Section 9. Speed Limit

The maximum speed limit in the development is 15 miles per hour.

Section 10. Light Posts

The Summit Chase complex utilizes light posts at the front of each lot rather than lights in the common areas. These fixtures provide light for the safety and security of the . Since the post and associated circuitry are a part of each lot, the Cluster Association cannot be responsible for maintenance of these important items. Therefore, each is responsible for keeping light post in working order. The photoelectric cell which automatically turns on the light may not be removed or disabled. Light post bulbs must be white, sixty (60) watts, and must be replaced within twenty-four (24) hours when burned out.

Section 11. Use of Common Ground

No resident may use common grounds for a party, yard sale, or any other activity without prior approval by the Board.

Section 12. Enforcement

If a resident feels that a covenant is being violated, he or she should make the Board aware of the problem. This can be done by contacting a Board member or by calling . Written documentation of the alleged violation may be requested.

The Board of Directors shall issue a written warning to the offending resident when they become aware of a violation of the covenants. If the problem is not promptly corrected, the Board shall take whatever steps are necessary, including legal action and/or fines to enforce compliance with the covenants.

Parking

Section 1. General Parking Information

- A. The private street and parking areas of the Cluster are private property and as such only owners, their tenants, employees, services, agents, visitors, licensees, and the families of owners may park .
- B. All vehicles parked in the Summit Chase lot must display current license tags and sticker(s), including vehicle inspection sticker.
- C. Vehicles must be parked in designated spaces, not along curbs or in the roadway.
- D. Inoperable, junk vehicles may not be stored in the Summit Chase parking lot. Any vehicle which does not move for a period of two (2) weeks or more may be presumed to be inoperable.
- E. Repairs may be performed in the parking lot so long as they can be completed in twelve (12) hours. Vehicles may not be left on blocks unattended at any time.
- F. Oil and other liquids from vehicles must be contained and properly disposed of. Storm drains may not, under any circumstances, be used to dispose of oil or antifreeze.
- G. Commercial vehicles, boats, campers, trailers recreational vehicles may not be parked on the property at any time.
- H. Vehicles may not be driven over curbs or on Cluster property.

Section 2. Parts of these regulations may be adjusted at the discretion of the Board of Directors to accommodate unusual circumstances. Resident Parking

- A. Each unit maybe assigned one (1) numbered parking space for the exclusive use of the unit's residents, subject to regulations of the Cluster.
- B. Motorcycles shall park in the space assigned to the for which the The space maybe shared with a car, so long as both vehicles are within the assigned parking space.
- C. may have use of no more than one (1) unassigned space. esidents must park additional vehicles off of Cluster property.
- D. Locations of the assigned spaces are determined by the Board of Directors.

Section 3. Notification and Enforcement of Parking Violations

- A. Violation stickers will be placed on any vehicle which is not in compliance with the regulations stated in this Amendment. The owner will have twenty-four (24) hours to correct the problem. If the violation persists, the vehicle may, at the Board's discretion, be towed from Cluster property without additional notification at the owner's expense.
- B. Cluster property for public parking may be towed, at the owners expense, without prior notice.
- C. Vehicles parked in fire lanes or blocking the street may be towed without prior notice.

- D. Residents should report violations to the management company immediately. Violations of the speed limit or fire lane regulations may be reported directly to the police as well as the management company.
- E. Towing of vehicles may only be done by the management company or a member of the Board of Directors, except that the Association's approved towing company may be contacted by the resident whose reserved space is being used by another vehicle.

Section 4. Cars parked in resident's reserved spaces may be towed without notice.

Parking Assignments

Space Number	Address	Space Number	Address	Space Number	Address
1	1481	31	1541	61	1593
2	1483	32	1543	62	1595
3	1485	33	1545	63	1597
4	1487	34	1547	64	1599
5	1489	35	1549	65	1601
6	1491	36	1551	66	1603
7	1493	37	1553	67	1605
8	1495	38	1555	68	1476
9	1497	39	1557	69	1478
10	1499	40	1520	70	1480
11	1501	41	1522	71	1482
12	1503	42	1524	72	1484
13	1505	43	1526	73	1486
14	1507	44	1559	74	1488
15	1509	45	1561	75	1490
16	1511	46	1563	76	1492
17	1513	47	1565	77	1502
18	1515	48	1567	78	1504
19	1517	49	1569	79	1506
20	1519	50	1571	80	1508
21	1521	51	1573	81	1510
22	1523	52	1575	82	1494
23	1525	53	1577	83	1496
24	1527	54	1579	84	1498
25	1529	55	1581	85	1500
26	1531	56	1583	86	1552
27	1533	57	1585	87	1554
28	1535	58	1587	88	1556
29	1537	59	1589	89	1558
30	1539	60	1591	90	1560

