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January 12, 2021
Via Electronic Mail

Chelsea Woods Community Association, Inc.
c/o Community Association Management
Attn: Linda Olson
P.O. Box 79032
Charlotte, NC 28271-0030

Re: Chelsea Woods HOA – Maintenance Responsibilities

To Whom It May Concern:

My name is Michael Ganley, and I am the attorney for Chelsea Woods Community Association, Inc. (the “HOA”). The purpose of this letter is to give some background and clarity to the issue of the scope and extent of the maintenance responsibilities of the HOA. While the HOA is a single-family community, there are limited shared maintenance responsibilities. The Board of Directors of the HOA requested that I prepare a maintenance responsibility chart pursuant to the North Carolina Planned Community Act as codified in N.C.G.S. 47-F and the provisions contained within the Declaration of Protective Covenants for Chelsea Woods of record at Book 8740, Page 799, Wake County Registry (as amended, the “Declaration”).

Below is the reviewed and approved Maintenance Responsibility Chart for the HOA:

ITEM	HOA	OWNER	DECLARATION SECTION	NOTES
Drainage		x	Article V, Section 2	"The owners of lots shall be responsible for...the proper drainage of the lot..."
Landscaping - fertilizing		x	Article V, Section 2	"...all maintenance of the Lot...shall be the sole responsibility of the Owner [which] shall include...fertilizing...of all lawns..."
Landscaping – front edging	X		Article V, Section 1	"The Association shall also be responsible for maintenance of...the front yards of lots up to the sideyard fences...including...edging..."
Landscaping – front raking	X		Article V, Section 1	"The Association shall also be responsible for maintenance of...the front yards of lots up to the sideyard fences...including...raking leaves..."
Landscaping – front mowing	X		Article V, Section 1	"The Association shall also be responsible for maintenance of...the front yards of lots up to the sideyard fences...including...mowing..."
Landscaping – front trimming	X		Article V, Section 1	"The Association shall also be responsible for maintenance of...the front yards of lots up to the sideyard fences...including...trimming..."
Landscaping - mulching		x	§ 47F-3-107	"Except as otherwise provided in the declaration, each lot owner is responsible for the maintenance and repair of his lot and any improvements thereon."
Landscaping – plant replacement		x	Article V, Section 1	"...not including replacement of plant materials..."
Landscaping - rear		x	§ 47F-3-107	"Except as otherwise provided in the declaration, each lot owner is responsible for the maintenance and repair of his lot and any improvements thereon."
Landscaping - seeding		x	Article V, Section 2	"...all maintenance of the Lot...shall be the sole responsibility of the Owner [which] shall include...seeding...of all lawns..."
Landscaping – trees, hedges and shrubbery		x	Article V, Section 2	"...all maintenance of the Lot...shall be the sole responsibility of the Owner [which] shall include...the pruning and trimming of all trees, hedges and shrubbery..."
Landscaping - watering		x	Article V, Section 2	"...all maintenance of the Lot...shall be the sole responsibility of the Owner [which] shall include...watering of all lawns..."

ITEM	HOA	OWNER	DECLARATION SECTION	NOTES
Landscaping – weed control		x	§ 47F-3-107	"Except as otherwise provided in the declaration, each lot owner is responsible for the maintenance and repair of his lot and any improvements thereon."
Fences – on lot		x	Article V, Section 2	"...all maintenance of the Lot...shall be the sole responsibility of the Owner [which] shall include...the maintenance, repair and painting of all fences on the Lot."
Fences - shared		x	Article V, Section 3	"The cost of reasonable repair and maintenance of a...fence shall be shared by the Owners who make use of the ...fence in equal proportions."
Swales		x	Article V, Section 2	"...the owner of each Lot is responsible for maintaining the original drainage swales designed on the Lot..."

Thank you for allowing me to assist you in this complex process, and you can feel free to contact me if you have any further questions.

Sincerely,

Michael R. Ganley
Attorney at Law