

**JAMES LANDING PROPERTY OWNERS
ASSOCIATION INC.,**

P.O. BOX 16325 HIGH POINT NC 27261

The James Landing Property Owners Association is a 253 acre parcel of land situated between Wendover Avenue, Guilford College Road and Akela Trail. The Articles of Incorporation were filed in 1993. This acreage pursuant to the purchase agreement is made up of the Southern Tract the Northern Tract and what is referred to as the Boy Scout Property. The Southern Tract is defined by Tracts 1-4 on the Exclusion map. The Development Tract, shall mean and refer to any site or area with the Boy Scout Tract to be separately developed as a single-family residential subdivision, planned unit development, townhouse or condominium site, office or institutional site, apartment site, shopping center or other form of development permitted under the zoning classification of that site or area. By way of example, and not by way of limitation, each residential subdivision developed or to be developed within the Boy Scout Tract shall be a separate "Development Tract"

The Declaration of Covenants, Conditions and Restrictions were recorded in 1993, are followed by a second and third amendment, these CC&Rs and amendments outline the following: "Maintenance Area" which shall mean and refer to (i) all areas designated as "Permanent Retention Pond" on the Master Watershed Control Plan; (ii) all areas designated as "DM&UE" surrounding any area designated as "Permanent Retention Pond" on the master Watershed Control Plan; and (iii) the signage, plantings, lighting, and green spaces constituting the entrance area for James Landing situated at the intersection of Wendover Avenue and James Landing Parkway. Notwithstanding the forgoing, the Maintenance Area shall specifically not include an area within any "DM&UE" designated on the Master Watershed Control Plan. Property included within the Development Tract developed with the Boy Scout Tract, but such inclusion with such a common area of a Development Tract shall be expressly subject to the provision of the Declaration with respect to any easement applicable to any portion of the Maintenance Area and the maintenance of the Maintenance Area.

The "Southern Tract" is where the Master Watershed Control plan is outlined and agreed to by the Declarant and the City of High Point. The Master Watershed Control Plan outlines certain areas designated as permanent Retention Pond and those areas designated as Drainage, Maintenance and Utility easements (DM&UE) these areas are outlined by the Master Watershed Control Plan indicate where the two ponds and the earthen dam are and what their upkeep responsibility are.

In 2010 the POA Board of Directors were elected. Since their election, the Directors have worked toward creating a solid capital reserve plan for long range planning needs of the two ponds and the earthen dam. At their board meetings in 2018 the Directors discussed how they were going to reach the needed capital projection plan financial obligation. There were discussions on the expenses that the POA was paying to mow and maintain the medians and grass areas along the sidewalks of the Parkway from Wendover Avenue to Guilford College Road. The POA budget had a line item for landscape services of \$14,990 dollars. The landscape services included the mowing of the medians and the sidewalk areas along the Parkway, plus the mowing of the earthen dam, the emergency spillway and the common area near the earthen dam. The Directors asked that the POA Management Company meet with the landscape company performing these landscape services to discuss a new landscape contract. This would outline the mowing needs of the areas outlined in the Master Watershed Control Plan, (the two ponds and the dam area).

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A quote for the Maintenance area was obtained in September 2018. The third amendment of the POAs Declaration, outlines the maintenance area, and includes the option of the Board of Directors for the POA to **not** mow and maintain the medians of the Parkway. The responsibility for the maintenance and mowing of the median would revert back to the City of High Point.

On October 8, 2018, the POA management company met with a representative of the High Point City Public Services Division, and went over the areas of the Parkway that the POA had been mowing and maintaining. A discussion took place on the need for the City of High Point to take over the maintenance and mowing of the medians and sidewalk grass areas. The discussion included the cost for the POA to have these areas maintained and mowed and that the POA had been covering these costs since 1995. They were told that the city would need to start the maintenance and mowing as part of their city street mowing and street maintenance.

On October 29, 2018 the POA Directors met to discuss and approve the POA 2019 budget. At the meeting, the board voted to accept the 2019 budget. The budget had the new cost of landscape services for maintenance of the areas outlined in the Master Watershed Control, which would be \$8,936 dollars for the calendar year. The Directors discussed and agreed that the \$6,054 dollars annual savings from not having to maintain and mow the medians and sidewalk grass areas of the Parkway would be placed in the Associations Reserve fund for future planned repairs of the Master Watershed Control Plan.

In November 2018, the POA Management Company notified the City of High Point Public Services Division Director, Terry Houk, of the decision of the James Landing POA Directors to opt out of paying for the cost of the maintenance and mowing of the medians and sidewalk grass areas of the Parkway between Wendover Avenue and Guilford College Road. They were notified that the POA would relinquish this maintenance effective January 2019.

In April 2019, it was noted that the City had not performed any mowing of the medians or sidewalk grass areas of the Parkway. After some follow up with the Assistant City Manager, the first mowing did take place. The City Manager's office has indicated that the High Point Parks and Recreation Division would be taking care of the maintenance and mowing of these areas of the Parkway on a 14 day rotation.

Currently, the POA Directors are reviewing and considering a quote from Two Brothers Landscape Company, to mow the medians and sidewalk areas between the 14 days when the city mows. This extra mowing service would only take place during the time of the year when the grass is actively growing (late March through the end of May).

To discuss your concerns with the City of High Point representatives, you can e-mail Terry Houk at Terry.Houk@highpointnc.gov or Robby Stone at robby.stone@highpointnc.gov

Sincerely,

The James Landing POA Board of Directors
Our website is jameslandingpoa.com