

SUN RANCH OWNERS' ASSOCIATION

Roadway Gate Installation Policy and Procedure

NOTE: This policy does not apply to gates installed across private driveways. It applies exclusively to gates installed across common roads that provide access to individual lots.

1. Purpose and Authority

Pursuant to Section V(a) of the Restatement of Declaration of Covenants, Conditions, and Restrictions, no material changes to the existing state of property (including roadways, utility corridors, and easements) may be performed without prior written approval from the SROA Board. This policy establishes the exclusive administrative process for landowners requesting to install gates across access roads or easements.

2. Mandatory Gate Requirements

Any gate approved by the Board must strictly adhere to the following operational standards:

- **Unrestricted Access (Lot Owners):** The gate must never block or restrict access to any lot owner, their guests, or invitees who use that roadway.
- **Unrestricted Access (Public Lands):** The gate must never block or restrict access to any SROA common area, or State or Federal lands that do not require crossing private property to access.
- **Horizontal Clearance:** The gate structure must have a minimum horizontal clearance of 14 feet and clear vertical clearance to allow passage of SROA-contracted snow-plowing equipment, road graders, and fire apparatus.
- **Association Access & Emergency Override:** The Association requires scheduled access to the easement area for road maintenance, snow plowing, and related infrastructure work, including utilities.
- **Notice and Receipt Framework:** The Association must notify the gate owner of any required access at least twenty-four (24) hours in advance via email, text message, or phone call. For the purposes of this provision, notice is deemed successfully delivered and received at the exact timestamp the email is sent, the text is transmitted, or a voicemail message is left on the owner's phone or communication channel of record. The owner bears sole responsibility for continuously monitoring these channels.
- **Owner Contact Registry Obligation:** The gate owner is required to provide the Association with up-to-date contact information, including at least one valid phone number capable of receiving calls and texts, and one valid email address. If the owner's contact information changes, the owner must notify the Association in writing or via email within forty-eight (48) hours of the change. If the Association sends a notice to the contact information on file and it bounces back, fails, or goes to an unmonitored account due to the owner's failure to update their registry, the notice will still be deemed legally delivered, and the 24-hour access clock will commence immediately.
- **Winter Snow Plowing Operations:** Notwithstanding any other notice provision herein, the Association bears zero responsibility or obligation to notify gate owners of scheduled or active winter snow plowing operations. It is the sole, exclusive responsibility of the gate owner to

monitor winter weather conditions and ensure the gate is fully open and unlocked during snow events. If a plowing contractor encounters a closed or locked gate, snow removal service beyond the gate will not be performed, and service will not be rescheduled until the next regular plowing cycle. The Association bears no liability for unplowed roads, hazardous conditions, or subsequent property damage resulting from a gate remaining closed during winter weather operations.

- **Failure to Provide Access:** The owner is responsible for ensuring the gate is unlocked or open during the scheduled maintenance window. If the Association finds the gate locked at the time of scheduled work, the maintenance will not be performed, and the Association bears no liability for any resulting lack of service, property damage, or hazardous conditions. Furthermore, the owner will be assessed a financial fine equal to the contractor's mobilization fee or a flat penalty of \$250 per occurrence, whichever is greater.
- **Emergency Access Exception:** In the event of an immediate threat to life, safety, or critical infrastructure (such as a downed power line, or active fire), the 24-hour notice period is waived. The Association and emergency services reserve the right to gain immediate entry by any means necessary. The Association bears no liability for damage to the gate, fence, or lock incurred during a bona fide emergency entry, and all costs to repair or replace the gate following an emergency breach shall be the sole financial responsibility of the gate owner.

3. Fines and Enforcement for Unapproved Gates

Per Section XI(c) of the Covenants, the Association holds the immediate right to enter any lot to abate, remove, or cure violations at the owner's expense. To enforce compliance, the following fine schedule applies:

- **Immediate Unapproved Installation Fine:** Any gate found to be installed across an access road or easement without prior written approval from the Board will trigger an immediate \$500 fine levied against the property owner.
- **Mandatory Retroactive Paperwork:** The gate owner will be required to immediately submit a complete SROA Gate Application Form along with all mandatory notarized neighbor approvals.
- **Monthly Non-Compliance Fine:** For each consecutive month that passes without obtaining formal approval from the Board, an additional \$50 monthly fine will be imposed.
- **Lien and Foreclosure:** Unpaid fines and cost-recovery expenses will constitute a personal debt and remain a lien upon the property until paid. The Association may enforce this lien through foreclosure proceedings in accordance with Washington State law.

4. Required Official Documentation

No application will be evaluated by the Board unless it contains the following two items:

1. A Complete SROA Gate Application Form detailing exact dimensions, structural materials, and location.
2. Neighboring Landowner Approval Letters: A signed and notarized statement from 100% of the landowners whose properties are located beyond, adjacent to, or serviced by the road segment where the gate is proposed.

SROA GATE INSTALLATION APPLICATION FORM

Submission Instructions: Submit this completed form along with all required attachments to the SROA Board. Do not begin construction until written approval is issued.

1. Applicant Information

Landowner Name(s): _____

Sun Ranch Lot Number(s): _____ Plat Div: _____

Phone Number: _____ Email: _____

2. Project Specifications

Exact Roadway Location: _____

Gate Type

- ☐ Single Swing
- ☐ Double Swing
- ☐ Sliding
- ☐ Other: _____

Clear Opening Width (Min. 14 ft required): _____

Locking Mechanism (Check all that apply)

- ☐ Standard Padlock / Chain
- ☐ Combination Lock
- ☐ Lock Box
- ☐ Other: _____

3. Mandatory Attachments

- ☐ **Site Map / Plat Map:** Copy of the plat map marking the exact position of the proposed gateposts.
- ☐ **Structural Blueprint:** Basic sketch showing heights, materials, and width clearance.
- ☐ **Notarized Neighbor Consent Form(s):** Attached for all affected landowners.

4. Landowner Acknowledgment & Liability Waiver

By signing below, the applicant acknowledges that the gate remains the private property of the applicant. The applicant assumes all maintenance responsibility, including clearing snow and debris from around the gate swinging radius. The applicant agrees to defend, indemnify, and hold harmless the Sun Ranch Owners' Association and the SROA Board from any liability, property damage, or delays caused to emergency vehicles or utility services resulting from this gate. The applicant acknowledges that

unauthorized installations are subject to an immediate \$500 fine and \$50 monthly recurring non-compliance fees.

Applicant Signature: _____ Date: _____

APPENDIX A: NOTARIZED NEIGHBOR CONSENT FORM

Proposed Gate Location / Roadway: _____

Installing Landowner Name: _____

Consenting Party Information

Neighboring Landowner Name(s): _____

Sun Ranch Lot Number(s): _____ Plat Div: _____

Statement of Consent

I/We, the undersigned neighboring landowner(s), hereby certify that I am/we are the lawful owner(s) of the lot specified above, which relies on the referenced road segment for access. I/We have reviewed the gate design proposed by the applicant. I/We explicitly grant my/our official approval for the installation of this gate, provided that the installing landowner provides me/us with unhindered, continuous means of passage (keys, remote, or entry code) at all times. I/We understand that this document will be kept on permanent record by the Sun Ranch Owners' Association.

Neighbor Signature: _____ Date: _____

Neighbor Signature: _____ Date: _____

Notary Acknowledgment

State of: _____ County of: _____

Signed and sworn to (or affirmed) before me on this ____ day of _____, 20__ by (Name of Neighboring Landowner) _____.

(Signature of Notary Public) _____

My Commission Expires: _____ (Place Seal Here) _____

NOTICE OF COVENANT VIOLATION

Unauthorized Gate Installation

Sent Via: Certified Mail (Return Receipt Requested) & First-Class Mail

To Property Owner(s): _____

Sun Ranch Lot Number(s): _____ Plat Division: _____

Mailing Address: _____

1. Notice of Violation

The Sun Ranch Owners' Association (SROA) has detected an unapproved gate installed across the roadway or easement serving or adjacent to your property. Pursuant to Section V(a) of the Sun Ranch Covenants, no material changes to the property may be made without prior written Board approval. Roadways must remain unobstructed to guarantee access for neighboring lots, utilities, emergency services, and winter snow-plowing operations.

2. Assessment of Fines

Because this gate was installed without proper review and formal written approval, the following actions and fines have been applied to your account:

- **Initial Unauthorized Installation Fine:** An immediate fine of \$500.00 has been levied.
- **Recurring Monthly Non-Compliance Fine:** An additional fine of \$50.00 will be charged every 30 days until your gate is formally approved or completely removed.

3. Required Actions for Compliance

To resolve this violation, you must complete one of the following actions within fourteen (14) calendar days of this notice:

- **Option A — Apply for Retroactive Approval:** Submit a complete SROA Gate Application along with signed, notarized approval forms from 100% of affected neighboring landowners.
- **Option B — Remove the Gate:** Completely remove the gate structure from the easement within 14 calendar days and notify the Board in writing.

4. Legal Consequences

Failure to respond within 30 days triggers removal under Section XI(c) at your expense. Unpaid balances constitute a personal debt and will become a recorded lien against your property, enforceable by foreclosure under Washington State law. The lien will be filed with the Okanogan County Auditor.

SROA OFFICIAL DETERMINATION NOTICE

Regarding Request for: Roadway / Easement Gate Installation

☐ Status: **APPROVED** (With Conditions)

Your request is approved strictly contingent upon continuous adherence to the following conditions:

1. Unhindered Access: Provide keys/codes to 100% of landowners beyond your gate.
2. Emergency Access: The Association and emergency services reserve the right to gain immediate entry by any means necessary. The Association bears no liability for damage to the gate, fence, or lock incurred during a bona fide emergency entry, and all costs to repair or replace the gate following an emergency breach shall be the sole financial responsibility of the gate owner.
3. Equipment Clearance: Maintain a minimum 14-foot horizontal clearance for snow-plows or graders.
4. Maintenance: Assume 100% private liability and maintenance costs, including snow clearance.

☐ Status: **DENIED**

Your request has been denied due to the following non-compliance issue(s):

- ☐ Incomplete Documentation (Missing notarized consent from 100% of neighbors)
- ☐ Access Restrictions (Proposed lock threatens access to lot owners / common areas/State or Federal Lands)
- ☐ Operational Interference (Fails to meet the 14-foot snowplow clearance margin)
- ☐ Architectural / Safety Risk (Creates an unsafe or unsightly condition under Sec. IV)

Required Action for Denied Applications: If physically installed, you are ordered to completely remove the gate structure within 14 calendar days of this notice. Failure to do so reinstates the \$50.00 monthly fine and authorizes physical removal under Section XI(c), resulting in a property lien.

Official SROA Appeal Process

Appeals of this determination follow the Association's Board Decision Appeals Policy and Procedure (Resolution No. 2026-10): a written Notice of Appeal to the SROA Secretary within 14 calendar days, a stay of the monthly \$50 fine and physical demolition while the appeal is pending (the initial \$500 fine remains due), a hearing before the Board with an opportunity to be heard, and a final and binding decision by majority vote. If the appeal is denied, you have seven (7) calendar days to remove the gate structure.

SROA OFFICIAL NOTICE OF APPEAL FORM

Submission Instructions: This form must be completed and delivered to the SROA Secretary within 14 calendar days of your Denial Notice.

Appellant & Property Information

Landowner Name(s): _____

Sun Ranch Lot Number(s): _____ Plat Div: _____

Mailing Address: _____

Phone Number: _____ Email: _____

Date on Denial Notice: _____ Specific Gate

Location: _____

Reason for Appeal (Check all that apply)

- ☐ Missing neighbor consent has now been fully secured and attached (100% notarized forms).
- ☐ Gate design has been modified to meet the 14-foot horizontal clearance for plows.
- ☐ Access mechanisms have been upgraded to guarantee instant SROA / emergency access.
- ☐ I believe the SROA Board misapplied a specific covenant or administrative policy rule.

Written Statement & Proposed Remediation

Attach additional pages if needed.

Appellant Signature: _____ Date: _____

SROA BOARD OF DIRECTORS

Official Appeal Hearing Outcome

Landowner Name(s): _____

Sun Ranch Lot Number(s): _____ Hearing Date: _____

☐ Option 1: Appeal Sustained (Denial Overturned)

The Board has voted to overturn the initial denial. Your gate is approved subject to standard policy guidelines. The recurring monthly fine is waived. The initial \$500 fine is:

☐ Waived based on immediate cooperation.

☐ Upheld and remains due within 30 days.

☐ Option 2: Appeal Denied (Denial Upheld)

The Board has voted to uphold the original denial due to unresolved issues with neighbor consent, 14-foot clearance, lock infrastructure, or safety risks. You are hereby ordered to completely remove the gate structure from the roadway easement within seven (7) calendar days of this notice. If not removed, the temporary stay expires: the \$50 monthly fine resumes, removal actions under Section XI(c) commence, and a property lien will be filed with the Okanogan County Auditor.

President Signature: _____ Date: _____

Secretary Signature: _____ Date: _____