

April 16, 2014

Homeowners
The Havens HOA, Inc.
New Palestine, IN 46163

Dear Homeowner's,

Upon recent inspections of your community, it was noted that many homeowners are parking cars and trucks on the street overnight in front of their homes. This makes it very difficult for larger vehicles to drive down the street which is causing safety concerns for the community. This violation is making it dangerous for vehicle traffic and would impede emergency vehicles from responding.

According to the Covenants of Summerhaven at the Havens and Windhaven at the Havens Subdivision which states in Section 13, Parking Limitations:

“No boats, campers, trailers of any kind, buses, mobile homes, trucks, motorcycles, mini-bikes, or any other unconventional vehicles of any description, shall be permitted, parked, or stored completely within this subdivision except that any such vehicle may be parked or stored completely within an enclosed garage except for personal automobiles, vans and pickup trucks which may be parked in the driveway. The parking of any type or kind of vehicle shall not be permissible upon the streets other than temporary parking by guests, invitees and subcontractors of any owner. Except within an enclosed garage, no inoperable or unlicensed vehicle shall be parked or repaired on any lot in this subdivision, or in any street thereon. Boats campers, and Motor Homes may be parked for a maximum of 2 days at one time for the purpose of preparation or loading.”

In addition you also need to be aware of the restrictive covenants vs. public streets. Below is an explanation that allows this community to enforce parking on the streets.

Restrictive covenants are a contract between all owners. The public streets are part of the property subject to the covenants. Provisions in the covenants are more restrictive than city ordinances and are enforceable. Technically, while city ordinances give the public certain rights to use the public streets, in a subdivision the owners, by contract, have agreed to give up those rights. Thus, the provision that says “The parking of any type or kind shall not be permissible upon the street other than temporary parking by guests, invitees and subcontractors of any owner” is enforceable against the owners and their guests.

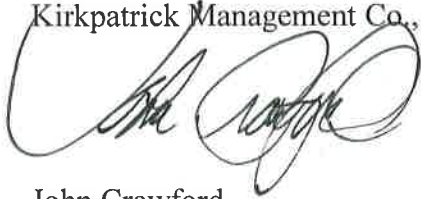
If parking violations continue, the Association can enforce their rights against owners who are parking their vehicles on the streets, under the covenants, just like any other violation.

Please help out the community by following the Covenants for Summerhaven at the Havens and Windhaven at the Havens.

Thank you in advance for your cooperation in this matter and should you have any questions please contact me at (317) 558-5352 or via email jcrawford@ekirkpatrick.com.

Sincerely,

On behalf of The Havens HOA, Inc.
Kirkpatrick Management Co., Inc., Agent



John Crawford,
Association Property Manager