

CHAPTER THIRTEEN - Section 13.08
RULES ON CONSOLIDATION OF LOTS

Date Approved:	November 28, 1994
Amended:	February 23, 1995
Moratorium:	February 22, 1996
Amended:	June 29, 1996
Amended:	December 15, 2005
Amended:	March 22, 2007
Amended:	June 30, 2007
Revised:	April 24, 2008
Amended:	April 23, 2009

I. PURPOSE

In the interest of increasing the amount of green space in the community and in decreasing the future demands on the recreational amenities, the Board of Directors instituted a policy for the consolidation of lots.

II. CRITERIA FOR CONSOLIDATION

- A. The lots must be adjoining (e.g. side to side, rear to rear, or side to rear).
- B. One lot may be divided and the parts joined with two existing lots. Such a case would occur where two property owners divide a lot located between their respective lots and add a part of that lot to each of their lots.
- C. If two lots, or one lot and portion of another, have been consolidated, the resulting lot cannot be augmented by subsequent consolidation with another lot or portion of a lot.

III. PROCEDURES FOR APPROVAL

- A. A request for approval of a consolidation of lots should be addressed to the Board of Directors, signed by all owners of each of the properties.
- B. A new plat showing the consolidated lot(s) must be prepared by a licensed surveyor. The new plat must show the original lot lines and easements that are to be vacated and the lot lines and easements of the remaining lot(s).
- C. The newly formed lot(s) will remain subject to the most restrictive of the recorded Statements of Subdivision applicable to any of the original lots and the Statement of Subdivision which applies to the newly platted lot shall be shown on the face of the new plat for that lot.
- D. The new plat must contain a statement that reads "**This consolidated lot is subject to the Statement of Subdivision of Lake Monticello for Section ___ recorded in the Clerk's Office of the Circuit Court of Fluvanna County in Deed Book __, Page __.**"
- E. The newly formed lot(s) must meet all the requirements of the Fluvanna County Zoning Ordinance and the new plat must show the written approval of the Fluvanna County Zoning Administrator.
- F. The General Manager of the Lake Monticello Owner's Association must approve the proposed changes and such approvals must be shown on the face of the newly recorded plat by the signature of the General Manager. Property owners are responsible for meeting

requirements of Fluvanna County and the water and sewer service company.

- G. The consolidation of lots will become effective and will be recognized by the Owners' Association on the date the revised plat is recorded in the Clerk's Office of the Circuit Court of Fluvanna County.

IV. DETERMINATION OF LOT NUMBER

The Fluvanna County Commissioner of Revenue's office will assign lot map numbers to combined lots.

V. STATUS OF DUES, ASSESSMENTS AND AVAILABILITY FEES

- A. LMOA Board approval of consolidation of a lot(s) shall require the consent of the property owner(s) to pay LMOA dues and assessments on the remaining lot and the consolidated lot(s) as if each consolidated lot(s) still existed. No dues and/or assessments shall be waived for the consolidated lot(s).
- B. The property owner is advised to consult the water/sewer service company regarding the matter of availability fees.

VI. AMENDMENTS

Policy Manual section 13.08 V, Status of Dues, Assessments and Availability Fees may be amended, altered or repealed only by at least a majority of the Association's members in good standing who are present in person or by proxy at a duly called meeting at which a quorum is present.