

**THE KINGSBERRY HOMEOWNERS ASSOCIATION, INC.**  
P.O. BOX 2672  
FAIRFAX, VIRGINIA 22031

October 6, 2014

TO THE HOMEOWNERS OF KINGSBERRY SUBDIVISION  
AND EX OFFICIO CLASS A MEMBERS OF  
THE KINGSBERRY HOMEOWNERS ASSOCIATION, INC.

Pursuant to Article 4, Section 4.4 of the By-Laws of The Kingsberry Homeowners Association, Inc. (the Association), you are advised that the 2014 annual meeting of the Association will be on the following date, time, and at the following location:

Date: Thursday, October 30, 2014

Time: 7:30 p.m. (refreshments will be available at 7:00 p.m.)

Place: Robinson High School  
Recital Hall  
5035 Sideburn Rd.  
Fairfax, Virginia 22032

The business portion of the meeting will begin at 7:30 p.m. Everyone is invited to attend a brief social gathering prior to the meeting. Refreshments will be served at 7:00 p.m.

**BUDGET**

As required by Kingsberry's Declaration, the Board of Directors has prepared and adopted an operating budget for calendar year 2014. In order to fund the budget, the Board has determined the maintenance assessment of each homeowner for 2014. This assessment not only includes the amounts necessary to fund the operation of the Association, but also includes an addition to the restricted reserve for repair and replacement of the common areas under Article 5, Section 5.3 of the Declaration as well as projected costing for the hiring of a management company to assist in the operations of the community.

Based upon our projected budget, the Board has determined the 2014 annual homeowner assessment shall be increased by \$40.00 (3.1%), in keeping with the provisions of Article 5, Section 5.5 of the Declaration. Consequently, the assessment will be \$1320.00, payable in quarterly installments of \$330.00 each, on or before January 1, April 1, July 1, and October 1, 2014. If paid in full on or before January 1, 2014, the assessment shall be reduced (or discounted) by the amount of \$50.00 to \$1270.00. PLEASE note that you will not receive monthly invoices for the amounts due above – it is your responsibility to make sure your payments are made on time. Late payments are subject to a \$50.00 charge and other actions as described in KHA resolution, Amended Procedures Relative to Assessments (No. 2-2008).

## **PRIORITIES, ACCOMPLISHMENTS & REMINDERS**

### **1. Reserve Study**

Per Article 5, Section 5.3 of the Declaration, the Kingsberry Homeowners Association is authorized to provide a reserve fund to replace aging, obsolete, and/or non-functioning critical infrastructure elements within the community. In the past, and in accordance with best practices, the Board has relied on a professional company to provide calculations and up-to-date pricings for when critical infrastructure elements should be replaced. Our last reserve study was done many years ago and is outdated.

Consequently, we have hired a reserve specialist company to provide Kingsberry with an updated comprehensive study. An engineer will conduct a complete analysis of the property and will use the latest software to calculate the useful life of every aspect of the community infrastructure, including roads, sidewalks, lights, curbs, sprinkler system, etc. We anticipate that the study will be completed in November. It will assist the Board with accurately and realistically planning for common element capital repairs and replacement and in projecting budgetary allocations for the future.

### **2. Management Company**

Due to (1) the increasing complexity of managing the day-to-day affairs of the community, (2) the increasingly litigious nature of community governance, (3) the aging of Kingsberry's infrastructure and (4) the increasing instances of non-compliance with the governing documents, the Board, under the authority provided at Article 11 of the Declaration, has determined it is vital for the community to contract expeditiously with a management company to ensure continued good governance and maintenance of the community. The Board has recently solicited proposals from several companies and is currently evaluating options from buffet services for self-managed associations to full service management.

### **3. Modifications to Declaration**

As recommended by our legal counsel, the Board believes it is in the best interests of the community to amend the Kingsberry Declaration to explicitly grant the Association the authority to impose monetary sanctions or suspension of privileges against homeowners who have been determined, after appropriate due process hearings, to be in violation of established community covenants. Further, due to the increasing number of leased units in the community with minimal owner involvement and oversight, we have also been advised to amend the Declaration to specifically address leasing in the community.

The Board anticipates holding a special meeting of homeowners early next year (2015) to seek approval to modify Kingsberry's Declaration as indicated above. Further information on this initiative will be provided in the coming months.

### **4. Landscaping Initiatives**

Last year the Board initiated a project to identify overgrown and damaged trees and shrubs and to recommend new plantings in the community. An extensive planting, trimming and removal project followed shortly thereafter. The Board is now continuing work this Fall on additional improvements to the community's common areas, to supplement the initial plantings made in the previous year, and to address newly identified drainage issues. We are

committed to an ongoing process for enhancing the appearance of common area plantings and redirecting budgetary resources whenever feasible for this purpose.

## **ANNUAL MEETING MATERIALS**

In the enclosed materials, please review the document titled, "2015 Operating Budget". This report includes the projected operating budget for 2015. Additionally, it provides an analysis to indicate, as accurately as possible, the operations of the Association for the year 2014 compared to what was budgeted. This analysis is based upon actual numbers for the first eight (8) months of 2014 and estimates for the remaining four (4) months of 2014.

Enclosed are the following materials for the annual meeting:

- 1) Agenda
- 2) Proxy Statement
- 3) 2015 Operating Budget
- 4) 2015 Capital Reserve Budget

If any homeowner is unable to attend the meeting, it is requested that the homeowner execute the attached proxy and either forward it to the Association, at the above address, or deliver the executed proxy to the agent or designated representative who will attend the meeting. Such agent or representative, however, must produce and file the proxy with the Association at the meeting. We encourage as much participation as possible at the annual meeting, either in person or by proxy, because Article 4, Section 4.6 of the By-Laws requires a quorum of at least 25 percent of the homeowners for the transaction of business. Since there are 71 homeowners in the Association, at least 18 homeowners must be represented either in person or by proxy to constitute a quorum.

In connection with the election of the Board of Directors, there are three (3) to be elected, each for a one (1) year term. The present directors are:

Ron Acker, Farida Mohamedshah, Marisue Uhrich

The officers of the Association are not elected by the homeowners. They are elected by the directors at their first organizational meeting.

Members and homeowners are reminded that under Article 4, Section 4.8 of the By-Laws, "No Class A member shall be eligible to vote, either in person or by proxy, or to be elected to the Board of Directors, who is shown on the books or management accounts of the Association to be more than sixty (60) days delinquent in a payment due the Association." Please make sure, therefore, that you are current in payment of your 2014 homeowner assessment and any late fees due thereon.

Your present directors consider it a privilege to have administered the affairs of the Association this past year, and look forward to your attendance at the annual meeting.

**THE KINGSBERRY HOMEOWNERS ASSOCIATION, INC.**

BY: \_\_\_\_\_  
MARISUE UHRICH, President

**THE KINGSBERRY HOMEOWNERS ASSOCIATION, INC.**  
**P.O. BOX 2672**  
**FAIRFAX, VIRGINIA 22031**

ANNUAL HOMEOWNERS MEETING  
OCTOBER 30, 2014  
7:30 P.M.

ROBINSON SECONDARY SCHOOL

**AGENDA**

I. CALL TO ORDER

II. ROLL CALL/ESTABLISHMENT OF QUORUM

III. MINUTES, HOMEOWNERS' MEETING, OCTOBER 7, 2013

IV. BOARD OF DIRECTORS' REPORT TO THE MEMBERSHIP

V. NEW BUSINESS

1. Nominations and elections for three (3) members of the Board of Directors of the Association.
2. Other new business.

VII. ANNOUNCEMENTS

VIII. ADJOURNMENT

**THE KINGSBERRY HOMEOWNERS ASSOCIATION, INC.**  
**P.O. BOX 2672**  
**FAIRFAX, VIRGINIA 22031**

**PROXY**

NAME OF HOMEOWNER GRANTING PROXY:

\_\_\_\_\_

\_\_\_\_\_ LUXBERRY DRIVE FAIRFAX, VA 22032

CURRENT ADDRESS (if different than above):

\_\_\_\_\_

\_\_\_\_\_

The Above named is owner of the above described property in the Kingsberry subdivision and, as such, is a member of The Kingsberry Homeowners Association, Inc. (the Association). For purposes of the annual meeting of the Association to be held on Thursday, October 30, 2014, or any adjournment or adjournments thereof, the above named hereby names, appoints, constitutes and designates the individual(s) named below as his/her proxy, agent and attorney in fact, with full power of substitution and with full and complete authority to cast any and all votes of any nature and on any matter whatsoever, which the above named would be entitled to cast and vote by virtue of his/her/their membership and ownership in the Association, at the aforesaid Annual Meeting of the membership. The power and authority herein granted extends to authorize the designated proxy (proxies) to vote in the stead and in the name of the above named on any and all matters which may be presented, considered, and voted at such meeting, including without limitation, the election of members of the Board of Directors, with the same effect as if the above named were present and voting in person at such meeting. This proxy shall be revocable and shall automatically cease upon conveyance by the member of his or her ownership of property in the Kingsberry Subdivision. This proxy shall also automatically terminate ninety (90) days after the date hereof.

The person(s) named herein as proxy and as agent and attorney in fact as specified hereinabove is:

\_\_\_\_\_

The person(s) named above as agent and proxy is an owner of property in the Kingsberry Subdivision and is a member in good standing of The Kingsberry Homeowners Association, Inc.

THUS DONE and signed on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

NAME(S): \_\_\_\_\_

\_\_\_\_\_