

# The Crossings at Canterbury Trails

6540 Centerville Business Parkway, Centerville, OH 45459  
(937) 222-2550; FAX (937) 222-2552;  
thecrossingsatcanterburytrails@gmail.com

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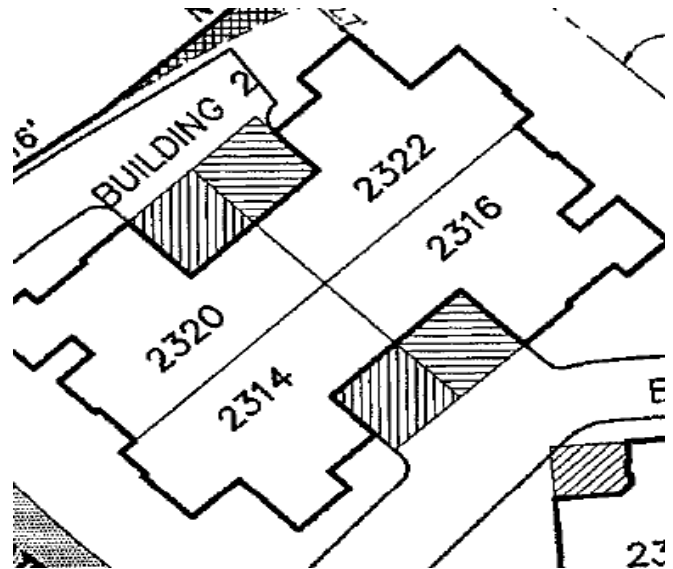
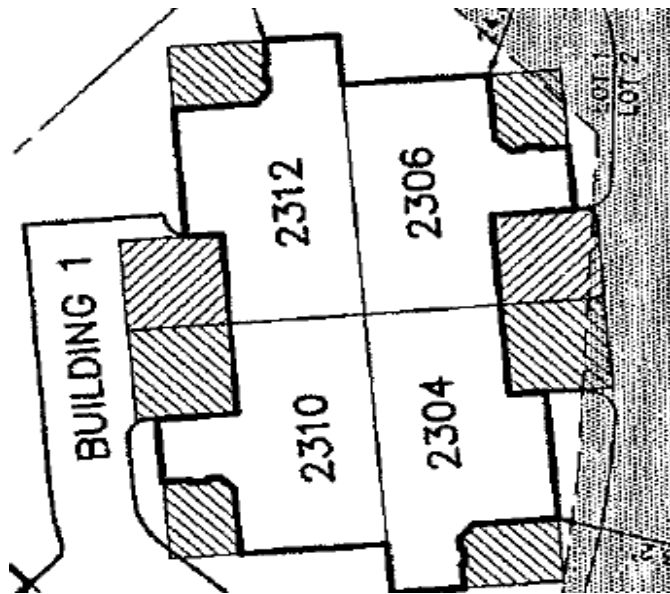
Dear Crossings at Canterbury Trails Member:

It has recently been determined that there has been long-standing confusion about the nature of the different aspects of the Condominium Property, i.e., all property outside of the units themselves is considered **common** elements, and specific portions of the **common** elements are **limited common** elements (“LCE”).

Declaration Article VI defines the LCE for each unit as those areas, which consist of “the parking space or spaces in front of that Unit’s garage and, in the case of Units without an enclosed porch, but have a patio area.”

The images below, from the GIS map of the community, illustrate the LCE driveways in front of each unit garage, and the LCE patios for units without enclosed porches. No other areas around any unit are LCE. The image on the left is a building with patios in blue and driveways in yellow. The image on the right is a building with an enclosed porch and driveways in yellow. The next two images are schematics of two similar buildings from the community documents identifying the LCE with grey hash marks on the patio and driveway.





Declaration Article IX governs maintenance and repair responsibilities, with Section 1 providing that the Association controls all common elements and LCE, except for cleaning and housekeeping of the LCE. So, while the Association is responsible for the structure of the patios and the driveways, the unit owners are responsible for keeping them in good order.

In addition to these general responsibilities, Declaration Article III, Section 2(o) requires that unit owners obtain the Board's prior written consent before making any improvement to the exterior of the property, both common elements and LCE.

Historically, Boards have allowed unit owners to plant flowers and shrubs in both the common elements and LCE, with the understanding that the unit owner would maintain the modification. However, when unit owners obtain permission to modify the common elements or LCE, they must understand that the Board still maintains ultimate discretion over both, and may remove or modify improvements made by unit owners in these areas, unless the approval granted was specifically stated in writing to be permanent. The Board is currently aware of one long-term medically required modification and two permanent modifications in the community and those owners will receive a letter to that effect with the recommendation that the approval document be stored with the deed.

We appreciate your attention to this matter. If you have questions on this matter, please direct them to the Towne property manager for our community.

Sincerely Yours,

***Carlene McCullough***, Towne Property Manager  
On behalf of the Board of Directors  
Crossings at Canterbury Trails Condominium Association