

ORCHIDLAND COMMUNITY ASSOCIATION, INC.  
2021 RIGHT-OF-WAY POLICY AND PROCEDURE

Established for benefit of the membership by full management over all aspects of the member-owned Right-Of-Way property under the full supervision of Orchidland Estates Board of Directors from the present to the foreseeable future, until such time more specific context, language, details, conditions or additions allows a more complete and thorough policy as approved. The Board orders the following:

1. This policy confirms that the Orchidland Estates Board of Directors is the only body with jurisdiction over the collectively member-owned Right-of-Way, encompassing all roads, shoulders and intersections amounting to 236.26 acres. And that only the Board of Directors may make policy governing the Right-of-Way and its uses.
  - 1a. The documented Right-Of-Ways in Orchidland Estates vary from forty (40) feet to sixty (60) feet in width depending on the roadway. Forty (40) feet in width for most through, cross and dead-end roads and sixty (60) feet for main access roads and designated by-pass roads. Check your property deed for specific details.
2. No constructs, either temporary or permanent, may be placed within the Right-Of-Way metes and bounds. The Board allows only gravel aprons or continuing driveways crossing property lines into the Right-of-way shoulder and connecting to existing paving (as exists) due to potential drainage issues and maintenance and ownership questions. The Board will provide a more specific policy, potentially driveway inclusive, in the future. Exception: break-away postal boxes are allowed.
  - 2a. The design and placement of a driveway must not direct rain water onto the Right-of-Way. Damage to the Right-of-Way/ roadway caused by this water flow will result in a warning, fine and repair costs.
3. No plantings nor landscape constructs may be placed within the Right-of-Way.
4. Parking vehicles within the Right-of-Way is prohibited. (Reason: owners have ample room to store vehicles or any other item within their property extents without usurping the Right-of-Way thus creating a nuisance or safety issue.)
5. No gates nor encumbrances may be used to hinder traffic access on any Right-of-Way property.
6. State of Hawaii vehicular traffic laws shall be observed at all times.
7. The Board prohibits the placing or depositing of automobiles, vehicles or parts thereof, machinery, junk, debris, boulders and rocks, or any other obstructions in the Right-of-Way.
8. Violation of this Right-of-Way policy shall result in fines and payment of costs for removal after notice.
9. Violators of the Right-of-Way policy will be held liable for any damage caused by Right-of-Way hazards.
10. Road maintenance is performed by Board authorized and insured contractors only. The Board prohibits road maintenance by private individuals. In addition, the only approved materials to be used on unpaved road surfaces are hard rock – grey or blue rock and base course. The placement of substandard road materials such as soft rock: black or red cinder on OLCA roads by private individuals is both a liability risk and prohibited.