



**ASSOCIATION RIGHT-OF-WAY ADOPTED: 6/15/2021
REVISED: 2/11/2022**

Orchidland Owner/Members have an interest, per their deed(*) in the roadway aka Right Of Way (ROW) for access purposes only. The Board of Directors empowered by the Association governs and maintains the Right of Way. This policy and procedure requires that the entire Right Of Way(**) must remain free and clear of personal encumbrances, including the following:

1. CONSTRUCTS of any material, temporary or permanent, with the exception of break-away postal/paper box.
2. STONE protective 'bollards', stone walls, planters, memorials, etc.
3. PLANTINGS of shrubs, bushes or trees, with the exception of grass only.
4. VEHICLE(S) parking, short term or long. (Properties in Orchidland are of adequate size to harbor owner and guest vehicles.)
5. No GATES nor similar encumbrances may be used to hinder access to the fullest extent of the ROW including dead ends. (see exception below (***))
6. PAVEMENT for property driveways or aprons within the Right Of Way is prohibited. Gravel is permitted due County requirement to allow the natural flow of ground water upon grade. (Exceptions due to unusual conditions may be granted by the Board provided a review is requested prior to installation.)
7. Organic or non organic DEBRIS (garbage, auto related or construction) roadside dumping is a violation of Hawaii law. Organic 'yard debris' placed upon another property without permission is trespass. The State provides facilities for these and other waste materials.

State of Hawaii vehicular traffic laws shall be observed at all times.

VIOLATION of this Right Of Way policy may result in fines and billing for removal costs if the violation is not remedied in a timely manner. If the violation is a risk to public safety, immediate action will be required.

BOARD PROCEDURES provide for 'Violation' letter to be issued, where sited, to the adjoining property owner(s), requiring correction of the noted violation at the earliest means.

Orchidland Drive, 40th Ave. and Pohaku are of 60 foot width and all other roadways are 40 foot in width. Owners should know where their corner property pins are located. Power poles are set within the Right Of Way roughly 2 to 5 feet from property lines. There are no easements within this community.