

NOTICE TO OWNERS/RESIDENTS regarding BRANDYWINE, A PLANNED COMMUNITY

For a period of time, there was a harmonious relationship between this community (Brandywine) and The Courts at Brandywine ("The Courts") relative to maintenance of the bike path that traverses both communities. Pursuant to what appears to be an unrecorded document, Brandywine was to perform the maintenance and The Courts were to share equally in the cost of repair and maintenance for the bike path. In 2021 Brandywine fulfilled its responsibility and caused repairs to be made to the bike path. Despite multiple requests and communications in late 2021 and throughout 2022, The Courts refused to reimburse Brandywine for one-half of that cost.

As a result of The Courts' failure to pay for one-half of the 2021 bike path repair cost, Brandywine's Board made the difficult decision in late 2022 to abandon the portion of the bike path within The Courts' boundaries to The Courts, such that it became solely responsible for performance and the cost of repair and maintenance of that portion of the bike path.

All owners and residents are hereby reminded and put on notice that use of the portion of the bike path in The Courts' community is at your own risk and Brandywine disclaims any and all liability for injury or damage to person or property resulting from such use. Further, use of the portion of the bike path within The Courts' community by Brandywine owners and residents is deemed a waiver of any and all liability that Brandywine may or might have to the owner or resident for injury or damages arising from such use.