

**RESOLUTION OF THE BOARD OF DIRECTORS OF
FAIRFIELD AT HERITAGE PARK HOME OWNER'S ASSOCIATION**

Covenant Enforcement

WHEREAS, the Declaration and Declaration of Restrictions for Fairfield at Heritage Park, as amended, (hereafter "Declaration and Restrictions") grants the Board of Directors of the Fairfield at Heritage Park Home's Association ("Association") with the power to enforce all covenants, restrictions, easements and charges contained in the Declaration;

WHEREAS, the Board of Directors desires to promote the health, safety and general welfare of all residents within the Association and to enhance and protect the value, desirability, and attractiveness of all property within the community known as Fairfield at Heritage Park by adopting guidelines and procedures to address concerns and complaints about the enforcement of the Declarations and its covenants, restrictions, easements and charges;

LET IT BE RESOLVED that the following covenant enforcement procedures will be followed:

1. **Effective Date.** These rules and procedures shall become effective ten (10) calendar days after notice of their enactment is mailed to all owners.

2. **Complaints.** The Board of Directors will investigate all Declaration violations that are reported to the Board of Directors (or the Association's community manager) in writing and signed by the complainant within thirty (30) calendar days after those complaints are sent to the Board. Inquiries or complaints that, in the opinion of the Board, lack sufficient detail may be returned without further investigation. The Board may investigate inquiries about violations from Board Members.

3. **Notification to Owners.** If the investigation shows the report of violation is accurate, the Board shall give written notice by registered mail, return receipt requested, to the owner setting forth in reasonable detail the nature of such violation or breach and the specific action or actions which shall be taken by the owner to remedy such violation or breach. The notice shall give the owner ten (10) calendar days to cure the violation or to submit a plan to remedy the violation. Alternatively, the owner may request, within ten (10) calendar days of notice of violation, a hearing with the Board of Directors to appeal the notice of violation. Once an appeal is received, the Board shall hold an appeal meeting within 30 calendar days to review the matter with the property owner. If the appeal meeting does not take place within 30 calendar days, the matter is considered dropped. The Board's decision on the appeal is final.

4. **Fines.** If the owner does not request a hearing or if the Board determines that a violation or breach exists after a hearing, the Board may levy a fine of \$50 per occurrence against the property owner who has violated or breached the Declaration. If the violation or breach is not corrected within thirty (30) calendar days after the initial fine is assessed, the Board may levy an additional fine of \$50 for each additional thirty (30) calendar days that the violation or breach exist. The maximum

assessed fine shall not exceed two (2) percent of the appraised value of the property as determined by the Johnson County Kansas Appraisal's Office for the year that written notice of violation or breach is sent to the Owner.

5. **Collection Provisions.** All fines, costs and expenses necessary to enforce this policy shall be an assessment against the owner's property and subject to all lien and collection powers of the Association.

6. **Unresolved Violations.** After the expiration of sixty (60) calendar days following notice of a violation which no hearing is requested or alternatively after an appeal meeting, the Board may:

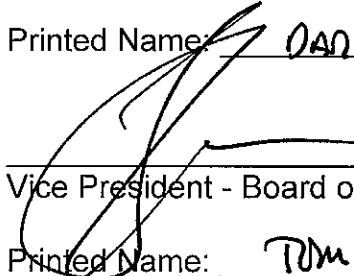
- 6.a. Suspend the rights or privileges of the owner relating to use of any common property within the Association and suspend the voting rights of the owner;
- 6.b. Pursue all rights of action available at law or in equity including, but not limited to the remedy of injunctive relief and obtaining a monetary judgment for all costs, expenses, including reasonable attorney fees, and damages.

Adopted by the Board of Directors this 31 day of OCTOBER, 2012.



President - Board of Directors

Printed Name: DAN RUNKLE



Vice President - Board of Directors

Printed Name: TOM CANTATORE