

RESOLUTION OF THE BOARD OF TRUSTEES FOR THE
COTTAGES AT TEMPLE VIEW HOMEOWNERS
ASSOCIATION

SCHEDULE OF FINES & PENALTIES POLICY

Whereas, the Board of Trustees of The Cottages at Temple View Homeowners Association ("Association") hereby adopts the following policies and procedures with respect to the enforcement of rules and regulations within the Association and sets forth the following schedule of fines and penalties for violations of said policies and rules.

Whereas, The Cottages at Temple View Homeowners Association is a Utah Corporation duly organized and existing under the laws of the State of Utah;

Whereas, the governing documents of The Cottages at Temple View Homeowners Association empowers the Board of Trustees to administer the affairs of the Association and enforce the provisions of the Articles, Bylaws, and the Declaration,

Whereas, the previously recorded "Violation Fines and Penalties Policy, recorded on 11/28/2012 as Entry No. 11524010, Records of the Salt Lake County Recorder is hereby repealed and this Schedule of Fines and Penalties Policy shall replace said document in its entirety, and,

Now, therefore, be it resolved that The Cottages at Temple View Homeowners Association establishes and adopts the following resolution in regards to establishing a schedule of fines and penalty policy.

Receipt of Complaint:

Upon receipt by a Member of the Board (or its designated agent such as the Manager Company, if any) of a written complaint by a Member or resident alleging a violation of the CC&Rs, Bylaws, Rules or Architectural Standards and Guidelines of the Association, the following procedures in this policy will be followed.

However, the Board and/or its agents have no duty to act pursuant to this policy if they do not receive a written complaint signed by the complaining party. Unsigned complaints will not be considered as the Board will not act if a Member/resident is not willing to attest to their accusations and therefore the Board has no credible evidence that a violation has allegedly occurred.

For purposes of this policy, the term "violation" shall mean a violation of the CC&Rs, Bylaws, Rules, Architectural Standards and also includes subsequent acts and violations of a substantially similar nature as the original violation.

RECEIVED IN OFFICE

OCT 10 2014

SALT LAKE
COUNTY CLERK

11927767
10/10/2014 02:20 PM #70-00
Book - 10266 Pg - 7503-7508
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
COTTAGES AT TEMPLE VIEW
1651 PEACEFUL CIR #29
SOUTH JORDAN UTAH 84095
BY: LHP, DEPUTY - W1 6 P.

Violation Procedures:

The following are the “Violation Policy and Procedures” for non-compliance with the CC&Rs, Bylaws, Rules and Architectural Standards of the Association.

1. First Violation

a. A courtesy “**Notice of Violation**” will be mailed or otherwise delivered to the alleged offending Member stating the area of non-compliance and the necessary corrective action needed to avoid a fine and to avoid further enforcement action by the Association. The Member is encouraged to promptly contact the Board (or Management Company if applicable) upon the receipt of such notice by returning a written statement of how and when they intend to cure the alleged violation. If the member believes there is no cause for a Notice of Violation, they should still contact the Board (or Management Company) indicating their dispute.

This initial mutual communication may, and usually does, prevent further enforcement action by the Association. When a “Notice of Violation” is received the owner has at least 48 hours to cure the violation unless otherwise set forth in the Notice of Violation.

2. Second Violation (same or substantially similar offence)

a. If the violation is not corrected within 48 hours (or any such other period of time as outlined in the Notice of Violation which shall not be less than 48 hours) or upon the next property inspection, a “**Notice of Non-Compliance and Hearing**” will be sent by first class mail or otherwise delivered to the member. At this point, since the violation is not cured, and unless proven otherwise, the violation is deemed valid and penalties may apply according to this policy.

b. A hearing will be scheduled for the Member to appear before the Board in Executive Session to discuss the violation. The hearing will be scheduled within 30 days of sending the Notice of Noncompliance and Hearing letter. The Member shall have the opportunity to dispute the violation and bring with them witnesses, pictures or other materials for Board consideration of their defense.

c. Upon the completion of the hearing (whether or not the Member chooses to be present), the Board will make a determination based on the facts presented at the hearing.

d. A “**Hearing Results Letter**” will be sent to the Member indicating the Board’s decision. A fine may be assessed to the Member’s account at this time, if applicable, pursuant to the schedule of fines herein.

3. Third Violation (same or substantially similar offence)

a. A **Continuing Violation Fine** will be assessed to the Member's account each week until the violation is corrected pursuant to the fine schedule herein.

4. Maximum Fine (same or substantially similar offence)

Fines for the continuation of the same violation or substantially similar violation that reach \$500.00 in any given month will be reviewed by the Board and, if appropriate, forwarded to the Association's Attorney for additional enforcement action (please note, however, that violation matters may be turned over to the Association's attorney at any time as the situation may require).

Action by the attorney may include, but are not limited to: legal action to collect the fine, suggestions of mediation/arbitration, a court injunction to compel the Member to correct the violation and any other judicial action that may be prudent. All additional legal costs for these actions will become the responsibility of the Member as specified below and charged to the Member as an assessment.

5. Fine Schedule

Fines are based on violations of the CC&Rs, Bylaws, Rules and Architectural Standards of the Association. Fines will be levied pursuant to the fine schedule below but shall not exceed \$500 in any given month for repeat violations of the same or substantially similar violation.

This limitation on the amount of the fine does not apply to any interest, charges, or collection costs (for example, attorney fees) that may be collected by the Association should the fines become past due. Members who have been fined may discuss the matter with the Board if there is a hardship in paying the fines to enable them to set up a payment plan, if deemed necessary by the Board. Such decision shall be in the sole discretion of the Board.

<u>Violation Fines:</u>	First Offence	=	\$50.00
	Second Offence	=	\$75.00
	Third Offence	=	\$100.00

Continuing Violations: Fines after the third offence shall be \$100.00 a week with a maximum of \$500.00 total in any given month. Notwithstanding any herein, based on the nature of the violation, the matter may be turned over to the Association's attorney for further action.

6. Appeal; When a Fine becomes a Lien; Interest and Late Fees. No interest or late fees may accrue until the above-described hearing has been held (whether or not the Member attends) and a final decision levying the fine has been made.

A Member may appeal a fine levied pursuant to the Association's policies by initiating a civil action with the district court within 180 days after: (a) a hearing has been held and a final decision has been rendered by the Board; or (b) the Member did not request a hearing within 30 days after the Notice of Non-Compliance was sent/delivered to the Member.

Fines become a lien only after the time for appeal of the Board's decision has expired and the Member did not commence a civil action in district court challenging the validity of the fine, or the Member did timely file an appeal and the district court issued a final order upholding the fine.

Thereafter, the Association may then file and record a Notice of Lien.

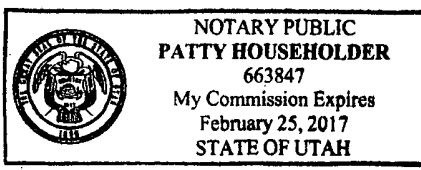
APPROVED AND ADOPTED by the Board of Trustees on this day of Oct. 8, 2014.

CERTIFICATION OF THE PRESIDENT AND SECRETARY

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT: (1) I am the President of the Board of Trustees of The Cottages at Temple View homeowners Association, and (2) The foregoing constitutes the Association's Schedule of Fines and Penalties Policy as adopted by a vote of the Board of Trustees at the meeting of the Board held on _____, 2014.

By: Eugene L. Campbell Marilyn Garner
President Secretary
Printed Name: EUGENE L. CAMPBELL MARILYN GARNER

State of Utah)
County of Salt Lake)



Subscribed and sworn to before me on this 10 day of October, 2014, by Eugene L. Campbell as President of the Association and as my voluntary act and deed.

Patty Householder
Notary

RXLP COTTAGES AT TEMPLEVIEW PH 1 CONDO AMD
 B FLG BLK/BLDG IND FLG LOT/QUAR

BLK, LOT-QUAR
 PARCEL NUMBER

OBSOLETE?

U			1	27-10-204-001-0000	
U			2	27-10-204-002-0000	
U			3	27-10-204-003-0000	
U			4	27-10-204-004-0000	
U			5	27-10-204-005-0000	
U			6	27-10-204-006-0000	
U			7	27-10-204-007-0000	
U			8	27-10-204-008-0000	
U			9	27-10-204-009-0000	
U			10	27-10-204-010-0000	
U			11	27-10-204-011-0000	
U			12	27-10-204-012-0000	
U			13	27-10-204-013-0000	
U			14	27-10-204-014-0000	
U			15	27-10-204-015-0000	
U			16	27-10-204-016-0000	
U			17	27-10-204-017-0000	
U			18	27-10-204-018-0000	
U			19	27-10-204-019-0000	

PF5=RKKP PF7=RXAB ENTER=NEXT PF12=PREV PF10=LAST
 LINE DOWN AND ENTER=RXPN PF1=VTDI PF4=RETURN TO RXEN

GLL

RXLP COTTAGES AT TEMPLEVIEW PH 1 CONDO AMD
 B FLG BLK/BLDG IND FLG LOT/QUAR
 END OF LIST

BLK, LOT-QUAR
 PARCEL NUMBER

OBSOLETE?

U			20	27-10-204-020-0000	
U			21	27-10-204-021-0000	
U			22	27-10-204-022-0000	
U			AREA	27-10-204-023-0000	YES
U			AREA	27-10-204-024-0000	YES
U			AREA	27-10-204-053-0000	YES
U			AREA	27-10-204-054-0000	

RXLP COTTAGES AT TEMPLEVIEW PH 2 CONDO AMD
 B' FLG' BLK/BLDG IND FLG LOT/QUAR

BLK, LOT-QUAR
 PARCEL NUMBER

OBSOLETE?

U	23	27-10-204-025-0000
U	24	27-10-204-026-0000
U	25	27-10-204-027-0000
U	26	27-10-204-028-0000
U	27	27-10-204-029-0000
U	28	27-10-204-030-0000
U	29	27-10-204-031-0000
U	30	27-10-204-038-0000
U	31	27-10-204-037-0000
U	32	27-10-204-036-0000
U	33	27-10-204-035-0000
U	34	27-10-204-034-0000
U	35	27-10-204-033-0000
U	36	27-10-204-032-0000
U	37	27-10-204-039-0000
U	38	27-10-204-040-0000
U	39	27-10-204-041-0000
U	40	27-10-204-042-0000
U	41	27-10-204-043-0000

YES

PF5=RKKP PF7=RXAB ENTER=NEXT PF12=PREV PF10=LAST
 LINE DOWN AND ENTER=RXPN PF1=VTDI PF4=RETURN TO RXEN

RXLP COTTAGES AT TEMPLEVIEW PH 2 CONDO AMD
 B FLG BLK/BLDG IND FLG LOT/QUAR
 END OF LIST

BLK, LOT-QUAR
 PARCEL NUMBER

OBSOLETE?

U	42	27-10-204-044-0000
U	43	27-10-204-045-0000
U	44	27-10-204-046-0000
U	45	27-10-204-052-0000
U	46	27-10-204-051-0000
U	47	27-10-204-050-0000
U	48	27-10-204-049-0000
U	49	27-10-204-048-0000
U	50	27-10-204-047-0000
U	AREA	27-10-204-053-0000
U	AREA	27-10-204-054-0000

YES