

## **Jordan Willows Homeowners Association Fine Schedule & Enforcement Provisions**

Adopted as of May 30, 2007

Notice is hereby given that the Board of the Jordan Willows Homeowners Association (the "Association") has adopted, and does make effectively immediately, the fine schedule and enforcement provisions set forth below. The fine schedule and enforcement provisions are authorized in the "Enforcement" provision of Paragraph C(2) of the Declaration of Restrictive Covenants for Jordan Willows Communities, filed originally with the Utah County Recorder's Office on November 21, 2003 as Entry No. 184944:2003 (the "Restrictive Covenants"), as well as Section 57-8a-208 of the Community Association Act (the "Act"):

1. Schedule of Notices & Fines. For any violation of the Restrictive Covenants, the Board (or, at the request of the Board, the management company of the Association) may provide written notice to the home owner identifying the violation and requesting corrective action or compliance within thirty (30) days of the notice (the "Warning Notice"). The following fines shall be imposed if the violation is not corrected:


- a. First Fine. A fine of \$50.00 (the "First Fine") shall be imposed against the offending owner if the violation is not corrected within the initial thirty-day period following the Warning Notice. A written notice to the offending owner shall be provided at this time, notifying the offending owner of the First Fine and explaining that an additional fine of \$100.00 will be imposed if the violation is not corrected within the next 30-day period;
- b. Second Fine. An additional fine of \$100.00 (the "Second Fine") shall be imposed against the offending owner if the violation is not corrected within the second thirty-day period following the Warning Notice. A written notice to the offending owner shall be provided at this time, notifying the offending owner of the Second Fine and explaining that an additional fine of \$200.00 will be imposed if the violation is not corrected within the next 30-day period;
- c. Third Fine. An additional fine of \$200.00 (the "Third Fine") shall be imposed against the offending owner if the violation is not corrected within the third thirty-day period following the Warning Notice. A written notice to the offending owner shall be provided at this time, notifying the offending owner of the Third Fine and explaining that additional fines of \$200.00 each will be imposed for each additional 30-day period in which the violation remains uncorrected, continuing until the violation is fully corrected.

d. Additional Fines. Additional Fines of \$200.00 each (the “Additional Fines”) shall be imposed against the offending owner for each additional 30-day period in which the violation remains uncorrected. A written notice to the offending owner shall be sent to the owner of each Additional Fine, continuing until the violation is fully corrected.

2. Lien Securing Paying of Fines. The fines imposed against offending owners under the above-stated fine schedule shall be secured by a lien against the lot/home of the offending owner, and said lien and fine schedule shall be enforced in the same manner as the lien securing payment of assessments. The Association shall be entitled to recover from the offending owner all costs of enforcing the fine schedule and collecting the fines, including, without limitation, reasonable costs and attorney fees, which costs and fees shall also be secured by a lien against the lot/home of the offending owner. In any action to enforce the Restrictive Covenants, the Association shall be entitled to pursue any and all remedies available, whether legal or equitable in nature, in addition to enforcement and collection of the fines imposed.

3. Request for Hearing. The offending owner who is assessed a fine pursuant to the fine schedule set forth above may deliver a written notice to the Board requesting an informal hearing before the Board to protest or dispute the fine within fourteen (14) days from the date the fine is assessed. For any of the fines imposed against the offending owner, the offending owner shall be barred from challenging the validity of the fine if he/she does not deliver a written hearing request to the Board within 14 days of the notice of the fine. At any such informal hearing, the board shall make a reasonable determination, based on the information provided by the owner and any other information available to the Board, whether to rescind the fine or enforce it.

WHEREFORE, THE ABOVE FINE SCHEDULE AND ENFORCEMENT PROVISIONS WERE ADOPTED BY THE BOARD OF THE ASSOCIATION as of May 30, 2007.

  
R. Jason Burton, President of the Board