

**RESOLUTION OF
RIDGECREST HOMEOWNERS ASSOCIATION, INC.
BOARD OF TRUSTEES
ADOPTION OF ARCHITECTURAL FINE POLICY**

WHEREAS, the Board of Trustees ("Board") of the Ridgecrest Homeowners Association, Inc. ("Association") desires to formally adopt a uniform policy regarding fines for unapproved alterations of units or limited common areas within the Project consistent with the provisions of the Association's Declaration of Covenants, Conditions, and Restrictions ("CC&Rs") on record with the Utah County Recorder as entry number 116081, as amended, and other governing documents;

WHEREAS, Article IV, Section 1 of the Bylaws of Ridgecrest Homeowners Association, Inc. ("Bylaws") states that the Board is responsible for managing the business and affairs of the Association;

WHEREAS, Article IV, Section 1(H) of the CC&Rs authorizes the Board to promulgate rules and regulations to insure that the Project is maintained and used in a manner consistent with the interests of the Unit Owners;

WHEREAS, Article IV, Section 11 of the CC&Rs establishes that the Association shall establish rules and procedures for architectural control;

WHEREAS, Article IX, Section 1 states that the Board shall act as the Architectural Control Committee and shall insure that all improvements and landscaping within the Property conforms with the plans and specifications and harmonizes with existing surroundings and structures;

WHEREAS, Article IX, Section 2 states that no improvements within the Project shall be constructed or altered unless approved by the Architectural Control Committee;

WHEREAS, Section 57-8a-208 of the Utah Code allows the Board to assess fines to owners for violations of the Association's governing documents;

WHEREAS, Article IV, Section 10 of the CC&Rs grants the Association the authority to exercise any right or privilege given to it by law;

WHEREAS, the Board desires to fulfill its responsibility to fairly and reasonably enforce the provisions of the CC&Rs, including provisions related to architectural control;

NOW THEREFORE BE IT RESOLVED that the Association hereby establishes and adopts the following rules, regulations, and fine schedule to be observed with respect to alterations to Units and Limited Common Area within the Project:

Rules for Alteration of Units and Limited Common Area

Alterations to the exterior of any unit, including exterior doors, or Limited Common Area are not permitted unless specifically pre-approved by the Architectural Control Committee (ACC). An owner who makes such an alteration without receiving prior approval is subject to a fine, as described below.

The Notice Period is the time between the owner receiving a notice of a violation and when the violation must be cured in order to avoid a fine. The Notice Period for violation of this rule is 7 days.

The Continuation Period is the time between fines being assessed for a continuing violation. The Continuation Period for this rule is 30 days.

Fine Schedule for Unapproved Alteration of Unit or Limited Common Area

1. A notice of an architectural violation shall serve as a warning pursuant to Utah Code Section 57-8a-208(2).
2. A Level 1 Fine (\$10) will be assessed against the owner unless the owner cures the violation prior to the end of the Notice Period.
3. If the owner also fails to cure the violation after the end of the Continuation Period, a Level 2 Fine (\$50) will be assessed without notice. Or, if the owner incurs a second separate violation of this rule within one year following the initial violation, a Level 2 Fine will be assessed without notice.
4. Similarly, a Level 3 Fine (\$100) will be assessed after a second Continuation Period and/or a separate third violation. A Level 4 Fine (\$250) will be assessed after a third and later Continuation Periods or a fourth and/or subsequent separate violation. Level 3 and 4 fines will also be assessed without notice.
5. In no case will the total fine in any calendar month, for the violations of any one rule, exceed \$250.

The violation will be considered cured by (a) restoring the unit or area to its original condition, (b) beginning to restore the unit or area to its original condition and completing the restoration before the end of the next Continuation Period or (c) receiving a favorable decision by the ACC as to the alteration. If the owner submits a formal request to the ACC for approval of the alteration, the time between the submission of the request and the final decision reached by the ACC will not be counted for the purposes of determining the amount of any fine that is imposed.

BE IT FURTHER RESOLVED that:

1. The foregoing Rules and Regulations are adopted by the Board of Trustees.
2. A copy of these Rules and Regulations will be sent to each Owner at the address shown in the records of the Association.
3. Each Owner and/or occupant of a Unit shall be responsible for notifying any household member, renter, guest, or other visitor of the restrictions, limitations, and prohibitions contained above.

Date: April 27, 2017

ATTEST:

Don J. Brown
Don J. Brown, President

Ridgecrest Homeowners Association

Burton J. Knudson
Burton J. Knudson, Vice President

Ridgecrest Homeowners Association

Douglas L. Thompson
Douglas L. Thompson, Secretary/Treasurer

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Deana E. Church
Deana E. Church, Trustee

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H. Brent Harker
H. Brent Harker, Trustee

Ridgecrest Homeowners Association