

The Oaks on the Bluff Property Owners Association, Inc.

"OBHOA"

Resolution of the Board of Directors

Number 090523 rev 1

Enacted and Effective May 23, 2009

WHEREAS, the articles of incorporation of "The Oaks on the Bluff Property Owners Association, Inc.", its "By-Laws" and "Declaration" of covenants, conditions and restrictions hereinafter "CC&R", are binding upon the owners.

WHEREAS, pursuant to the terms of the Declaration, The articles of incorporation of "The Oaks on the Bluff Property Owners Association" hereinafter "OBPOA" and its By-Laws, the Declarant has unilateral authority to appoint and remove members of the Board of Directors hereinafter "Directors" of "OBPOA" during the "appointment period".

WHEREAS, the Declarant has, by letters titled "Action of Declarant to appoint Board of Directors of OB and "Certificate of Resignation" removed the "Board of Directors of OBPOA serving during the appointment period and has appointed five new Directors, all of whom are lot owners of Oaks on the Bluff (OB) to serve until their term expires in accordance with the terms of the By-Laws. Said term is for a period of one (1) year.

WHEREAS, the newly appointed Directors desire to enforce existing rules and regulations for the purpose defined in article 1 of the CC&R of OB.

WHEREAS, the Directors desire the raise the fee for house plans submitted for approval.

WHEREAS, the Directors desire to assess penalties for violation of the CC&R>

WHEREAS, the Directors have the authority to enforce regulations, levy assessments, assess penalties and other fees, establish, modify and change rules and regulations, and delegate portions of its authority, said authority is given by OBPOA articles of incorporation, by-laws, and covenants, conditions and restrictions.

Be It Resolved that the current covenants, conditions and restrictions will be enforced by the Board of Directors (B.O.D). The B.O.D. will use its discretion to enforce the CC&R uniformly as possible and will take into consideration special circumstanced which may arise.

Be It Further Resolved that prior to the construction of any improvement to or on a lot all plans for said construction or improvement shall be submitted to the Review Board in advance in accordance with article 8 of the CC&R.

Be It Further Resolved that the plan submission fee is hereby increased from one hundred and fifty dollars (\$150.00) to five hundred dollars (\$500.00). The cost increase is necessary to cover the current cost of plan review. In the event that changes to the plans are required in order to obtain approval from the Architectural Review Board then subsequent plan submissions fee will be \$250.00.

Be It Further Resolved that an "on site" inspection by the Review Board or its assigned agent is required to confirm that the house or improvement is constructed according to the approved plans. Be It Further Resolved payment of the construction deposit, for home construction defined in article 8.3.5 of the CC&R, will be enforced. Said deposit must be paid in full BEFORE construction begins.

Be It Further Resolved that the construction deposit for construction of a house is \$1000.00 (one thousand dollars) and for construction of other type improvements such as fences, patios, etc. is \$100.00 (one hundred dollars).

Be It Further Resolved that should construction of a house or other log improvement begin before obtaining written approval from the Architectural Review Board a daily penalty will be imposed.

Be It Further Resolved should construction of a house or other log improvement begin BEFORE the required construction deposit is paid in full a daily penalty will be imposed.

Be It Further Resolved that the following rules and regulations apply to any and all improvements and construction in OB said improvements are defined in article 2.16 of the CC&R>

Rules and Regulations Governing Construction in "The Oaks on the Bluff"

1. Burning of any waste material in OB is prohibited
2. Trash bins and/or dumpsters must not be filled above the top edge.
3. Loss material, such as paper, plastic, etc must be contained within the lot approved for construction.
4. A temporary orange fence must be constructed around 3 sides of the job site to prevent loss materials from leaving the job site.
5. The job site lot must be cleaned of all trash such as paper plates, paper, cups etc. at least once a week
6. Dirt which spills in the sidewalk or street due to washout by rain or tracking by vehicles must be removed immediately.

7. Grass must be kept trimmed to the extent possible, no tall weeds, during the entire construction process.
8. Permissible working hours are from sunrise to sunset as defined by national weather service.
9. Loud noise from radio's, CD players, etc. are not permitted.
10. The party submitted the construction deposit for building plans is responsible, hereinafter "responsible party," for enforcing the regulations by all parties involved in the area must be repaired within one week of the occurrence.
11. Spilling of concrete on any street or other areas of the OB is prohibited.
12. Concrete truck washout on any lot other than the construction lot is prohibited.
13. The responsible party or owner after having been given a first notice of damage or violation of the OB regulations, articles, or By-Laws shall have then (10) days from the date of notice to correct the violations. The amount charged for correcting damages or violations of the Regulations of the OB and associated penalties shall be taken from the construction deposit. Should charged and penalties exceed the amount of construction deposit a notice to responsible party shall be served within ten days of such occurrence for collection of the overage.
14. Beginning construction of a house or any improvement, as defined in the Declaration of covenants, conditions and restrictions of "The Oaks on the Bluff," without approval by the Architectural Review Board is prohibited.
15. At the time of construction when windows are installed the builder shall notify the Review Board in writing. At that time an on site inspection will be made by the Review Board or its representative to insure that construction was performed according to the approved plans.
16. At the time when interior walls are covered (sheetrocked) the builder shall submit to the Review Board the plan for landscaping.
17. After completion and BEFORE occupancy builder is to notify the Review Board in writing that the building is ready for a second site inspection to insure that the house was built according to the approved plans.
- 18.
- 19.
20. Penalties

- a. A violation - \$100 per incident
- b. Beginning construction before plans are approved by the Architectural Review Board - \$100 per day until the contractor notifies the Review Board in writing that construction has halted.
- c. Beginning construction before the construction deposit is paid in full - \$100 per day until construction deposit is paid in full.

Violators will be notified in writing and shall have 10 days to correct the violation. Penalties will be taken from the construction deposit. Should penalties exceed the construction deposit the violator will be notified in writing and have 10 days from date of notice to pay the overage. Failure to pay will result in legal action to collect the overage, plus legal fees, plus 12% per annum until overage is paid in full.

Be It Further Resolved that the B.O.D. intends to enforce the current rules and regulations, some of which are defined in article 8 of the CC&R, which apply to lot owners, their guests, or the occupants.

Some intended enforcement areas are regarding:

- a. No vehicle or trailer shall be parked on any street or in front of lots on a frequent, regular, or permanent basis after construction of a residence is completed (Refer to article 8.4.6 of the CCR)
- b. Unlicensed and "off road" vehicles, such as but not limited to, motorized bicycles, motorized Go-Carts, 4 wheelers, and other similar vehicles is strictly prohibited from being operated upon any portion of the property in "Oaks On The Bluff" Refer to article 8.4.6 of the CCR)
- c. A motorboat, or other similar water borne vehicle or recreational vehicle may be maintained, stored or kept in completely hidden from view from the street, and only if hosed completely within a garage which has been approved by the review board. There shall be allowed no overnight parking of school buses, 18 wheeler vehicles or any other type of commercial vehicles, trailers and equipment in the driveway of any lot or on the streets of Oaks On The Bluff. (refer to article 8.14 of the CCR)
- d. Each lot owner shall be responsible for the maintenance of all landscaping on his lot, and for maintaining his lot, residence and driveway in a clean and orderly fashion at all times. Owners shall keep their lot(s) mowed at all times and free of rubbish, trash, debris and noxious weeds. Mowed height of the grass on unoccupied lots shall be compatible with occupied residence lots of Oaks On The Bluff. (refer to article 8.18 of the CCR)
- e. Penalties will be imposed for violation of Oak On The Bluff Restrictions listed in this resolution and/or contained in the "Declaration of Covenants, Conditions, and Restrictions (CCR)

A notice in writing will be given to violators. After 15 days that said notice is given, if the violation has not been corrected, and the Board of Directors notified in writing of said correction, a penalty of \$50.00 will be imposed on the responsible party.

After a second 15 day period that the violation is not corrected the penalty will increase to \$100.00. Thereafter, for each 15 day period that the violation is not corrected and reported to the Board of directors as having been corrected the penalty will double. The violation is considered corrected only after the board is advised in writing of correction and is satisfied that the violation is corrected.

- f. Be It Further Resolved that the B.O.D. intends to enforce current and new rules and regulations as applied to lot owners and builders in OB. It intends to use, as its discretion, all the powers and authority given to it by the articles, By-Laws and CC&R, including but not limited to, imposing assessments, penalties, liens, and other legal means to effect the enforcement of the rules and regulations. It is highly recommended that all lot owners of Oaks On The Bluff review the the "Declaration of Covenants, Conditions, and Restrictions (CCRO which are available on the web site

Be It Further Resolved that the B.O.D. as permitted by article 3.2 of the CC&R hereby establishes the following board and committees:

Architectural Review Board

Initial chairperson is: Donald Mayeaux

Landscaping Committee

Initial chairperson is: Marci Freeman

Maintenance Committee

Initial chairperson is: Kimm Haydel

Special Projects Committee

Initial chairperson is: Josh Wilson

The Board and Committees shall act within the limited authority and powers delegated bo them by the B.O.D.

