

FINE POLICY

MOSS CREEK CONDOMINIUM COUNCIL OF CO-OWNERS, INC.

VIOLATION. Should any Owner of a condominium unit or units or any person who occupies a unit owned by an Owner violate or any provision of the Master Deed, the Bylaws, or the Rules and Regulations for the Moss Creek Condominium Council of Co-Owners, Inc. (the "Council") such violation shall be grounds for the assessment of monetary fines against the Owner by the Council's Board of Directors ("Board"). ~~A continuing violation shall be a violation that~~ occurs each successive day the Owner continues to create or cause a violation. "Owner shall have the meaning as set forth in the Master Deed or Bylaws of the Council. If there is more than one Owner of a unit then all owners of the unit shall be jointly and severally liable for any fine assessed. The Owner shall be responsible for the occupants of the unit and if the fine is for a violation by the person or persons occupying the unit the Owner shall be responsible for any fine levied. Before any fine may be levied for any violation the following procedures shall be followed.

NOTICE OF VIOLATION. A Notice of Violation shall either be hand delivered to the Owner or mailed via US Mail first class, postage prepaid to the address that the Council has on file for the Owner giving the Owner an opportunity to be heard by the Board before any fine is levied. The Notice shall describe the nature of the violation, the amount of fine that could be levied, and the date and time the Board will consider whether to levy a fine. The Owner may appear at the meeting to oppose the levy of a fine. Such hearing date shall not be less than 10 days and not more than 30 days from the date of the Notice.

HEARING. Upon appearance by the Owner before the Board or after the Owner having an opportunity to be heard and not appearing to be heard the Board may decide whether a violation has occurred and what fine will be levied by a majority vote of the Board with a quorum present. The Board's decision shall be final and not appealable.

FINE SCHEDULE.

1. Violation notice is sent to homeowner.
2. 2 weeks after the violation notice a \$35 fine is issued w/letter unless the violation is determined (by the board) more time is needed to correct that particular violation.
3. 2 weeks after the first fine a 2nd fine of \$125 is issued to homeowner with letter.

4. Just one week after the second fine a 3rd fine of \$200 is issued to the homeowner w/letter informing homeowner that a daily fine will follow one week after the date of this letter if violation is not corrected and confirmed by management that violation has been corrected.
5. Daily fine of \$20 a day is issued one week after the (3rd fine) final letter has been sent.

If the same violation has been recommitting after being corrected, the board reserves the right to not provide any subsequent notice for continued fines along the fine schedule and begin such fines immediately because the homeowner is already aware this issue was a violation in the past.

REMEDIES. The Council shall have all the rights and remedies to enforce and collect any fine or fines levied hereunder under the terms of the Council's Master Deed, Bylaws, any other applicable documents and under applicable law. Any fine levied shall constitute a lien on the applicable Unit and the Council may record a notice of such lien in the appropriate office.

**AMENDMENT TO THE RULES AND REGULATIONS
OF MOSS CREEK CONDOMINIUM
COUNCIL OF CO-OWNERS, INC.**

This Amendment to the Rules and Regulations of the Moss Creek Condominium Council of Co-Owners, Inc. ("Council") is made and entered into this 13 day of ~~June~~ ^{July} 2021 by the Council.

WHEREAS, the Council is a condominium regime organized and existing under the laws of the Commonwealth of Kentucky and that certain Master Deed dated June 7, 2007 of record in Deed Book 9054, Page 210, and all amendments and exhibits attached thereto (the "Master Deed") in the office of the Clerk of Jefferson County, Kentucky; and,

WHEREAS, the Council has duly adopted certain Rules and Regulations (the "Rules and Regulations") of the Council and the Council desires to amend the Rules and Regulations by adopting this Fine Policy as set forth herein; and,

WHEREAS, the Council's Board of Directors believes this Fine Policy will benefit the Association in that it will aid in governing the Association and the Board having adopted the Fine Policy which is attached hereto and incorporated herein by reference at a duly called meeting pursuant to KRS 381.9167(1)(k).

NOW THEREFORE, the Moss Creek Condominium Council of Co-Owners Inc., by and through its Board of Directors hereby amends its Rules and Regulations to adopt this Fine Policy, attached as Exhibit 1, which shall be effective and enforceable according to its terms on and after the date it is duly recorded in the office of the Clerk of Jefferson County, Kentucky.

IN TESTIMONY WHEREOF, this Amendment is hereby approved and adopted by the Council on the date shown herein below.

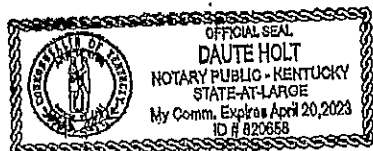
THE MOSS CREEK CONDOMINIUM COUNCIL
OF CO-OWNERS, INC.

By: Edward W. Waters
Title: President

COMMONWEALTH OF KENTUCKY
COUNTY OF JEFFERSON

Subscribed and acknowledged before me by Edward Waters
as President of the Moss Creek Condominium Council of Co-Owners, Inc. on this 13 day of
July 2021 on behalf of the Council.

My Commission Expires: April 20, 2023



Daute Holt
NOTARY PUBLIC
KENTUCKY STATE AT LARGE

THIS INSTRUMENT PREPARED BY:

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