



STONEHEDGE ON THE RIM ASSOCIATION, INC

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The mission of the Stonehedge on the Rim Homeowners Association is to carry out those actions required to protect and enhance all properties lying within the boundaries of Stonehedge on the Rim.

COLLECTION OF UNPAID CHARGES RESOLUTION

WHEREAS, the Board of the Association desires to update the Association's Resolution regarding Collection of Unpaid Charges adopted on August 5, 2019;

WHEREAS, the Board desires for the benefit of the entire Association, to modify the process and procedures for collection of unpaid charges;

WHEREAS, the following terms as used herein shall have the following meaning:

- "Act" is the Oregon Planned Community Act (ORS 94.550 through 94.783, and as amended)
- "Assessments" includes all amounts validly assessed/levied against a Lot or Property Owner ("Owner) pursuant to the Act, Declaration, Bylaws, Rules and Regulations, and any Board of Directors Resolution, including but not limited to, periodic and/or monthly assessments for common expenses, special assessments, interest, late charges, fees, fines, attorney fees, and all collection costs
- "Association" is Stonehedge on the Rim Association, Inc.
- "Bylaws" is Bylaws of Stonehedge on the Rim Association, Inc.
- "Declaration" is the Declaration of Covenants, Conditions, and Restrictions for Stonehedge on the Rim Association, Inc.
- "Governing Documents" incorporates the foregoing and includes those set forth in ORS 94.550(13)

WHEREAS, this Resolution is adopted pursuant to the Governing Documents which authorize adoption of rules to enforce compliance with the collection of assessments;

WHEREAS, this Resolution is adopted pursuant to Article 11, Section 11.3 of the Declaration authorizing the Board to take action on enforcement and collection of assessments;

WHEREAS, this Resolution is adopted pursuant to Article 6, Section 6.3 of the Bylaws, and ORS 94.630(1)(n) of the Act authorizing the Board to impose charges for late payment of assessments and levy fines;

WHEREAS, Article 8, Section 8.1 of the Declaration, and the Act provide that all assessments together with attorney fees and costs of collection, shall be a continuing lien upon the Lot against which each such assessment is made;

WHEREAS, Article 8, Section 8.7 of the Declaration, and the Act authorize the Board, on behalf of the Association, to bring suit to foreclose its lien, and/or to bring an action to obtain a money judgment against an Owner for damages and/or unpaid assessments;

WHEREAS, Article 11, Section 11.3 of the Declaration, Article 12 of the Bylaws, and the Act provide that the Association is entitled to its reasonable fees and costs including but not limited to, attorney fees to enforce and/or collect assessments, regardless of whether suit or action is commenced;


WHEREAS, the Board finds it is in the Association's best interest to adopt the following resolution for collection of unpaid charges.

NOW THEREFORE, IT IS RESOLVED,

1. The Association will prepare an invoice identifying the nature of the assessment and amount owed;
2. Regular periodic and/or monthly assessments for common expenses are due and payable in full within ten (10) days of the date of the invoice;
3. All other assessments are due and payable in full within fifteen (15) days of the date of the invoice;
4. Any assessment not paid in full within thirty (30) days of the date of the invoice is delinquent and may be levied a late fee in the amount of ten percent (10%) of the unpaid assessment;
5. Any assessment not paid in full within thirty (30) days of the date of the invoice is delinquent and shall accrue interest at the rate of twelve percent (12%) per annum until paid in full;
6. Any delinquent assessment more than thirty (30) days in arrears may be turned over to the Association's attorney for enforcement/collection, however, delinquent assessments with a cumulative total of \$250, or more, shall be turned over to the Association's attorney for enforcement/collection;
7. The Board may, but is not required to, send to Owners a written demand for payment prior to turning over a delinquent assessment to the Association's attorney for enforcement/collection;
8. The Association's attorney may pursue whatever enforcement/collection efforts provided by law and the Governing Documents;
9. All communication with Owners concerning a delinquent assessment that has been turned over for enforcement/collection shall be through the Association's attorney, however, invoices for future assessments may be sent by the Association to the Lot in the regular course;
10. The foregoing does not preclude the Board from taking additional action against an Owner, as permitted by the Act and Governing Documents, including but not limited to, adopting or enforcing rules regarding the termination of utility services paid for out of assessments of the association, suspension of voting rights in the Association, suspension of access to and use of the Common Property, suspension of access to recreational and service facilities available to Owners; after notice and an opportunity to be heard, suspend the rights of Owners to receive such benefits or services until the delinquency is cured.

NOW, BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to all members of the Association at their last known address.

This Resolution was passed by all members of the Stonehedge on the Rim Association, Inc., Board of Directors on this 12th day of September, 2020.



President David Gaines