

J.P. "RICK" CARNEY

DUPAGE COUNTY RECORDER

OCT.27,2000

11:34 AM

OTHER

01-33-307-002

009 PAGES

R2000-168805

RESOLUTION No. 2

FINING RESOLUTION

for

WILLOW CREEK SINGLE FAMILY HOMEOWNERS ASSOCIATION

P.O. Box 870
WEST CHICAGO IL 60186

WHEREAS, WILLOW CREEK SINGLE FAMILY HOMEOWNERS ASSOCIATION

("Association") is either an Illinois Master Association or Common Interest Community Association as defined by Section 18.5(c)(7) of the Illinois Condominium Property Act (the "Act"); and

WHEREAS, the Association has the authority under the Act to levy and collect reasonable fines from members for a violation of the Rules and Regulations of the Association and for any violation of the Declaration and By-Laws of the Association; and

WHEREAS, the Board recognizes that the Illinois Forcible Entry and Detainer Act has been amended to provide that if a Unit Owner fails to pay, when due, his or her proportionate share of the common expenses or any other expenses lawfully agreed upon or the amount of any unpaid fines, the Unit Owner's right to possession can be terminated by a Court.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED AS FOLLOWS:

1. That the President of the Board send notice of meeting to the members not less than ten (10) days, nor more than thirty (30) days, from the date hereof and that the notice of the time, place and purpose of the meeting be set forth in the notice.

That the fine to be imposed shall be set by the Board of Directors in an amount reasonable and justified by the violation, not less than TWENTY-FIVE DOLLARS (\$25.00) nor more than FIVE HUNDRED DOLLARS (\$500.00); and in addition, for each day that the violation occurs or exists, an additional fine not to exceed TWENTY-FIVE DOLLARS (\$25.00) per day can be assessed.

3. Prior to the imposition of any sanction for a breach of the Declaration, By-Laws or Rules and Regulations or the imposition of a fine or the infringement upon any other rights of a Unit Owner or other occupant of a Unit, the following procedure is to be followed:

A. Written demand is to be sent to the Unit Owner or occupant to cease and desist from the alleged violation. The demand may be served by letter specifying:

- i. the alleged violation;
- ii. the action required to abate the violation; and
- iii. the time period during which the violation may be abated without further fine if the violation is not a continuing one, or a statement that any violation of the same rule may result in the imposition of additional fines or sanction after notice and hearing if the violation is continuing.

B. Together with the written demand to cease and desist should be a notification to the alleged violator of any opportunity to request a hearing before the Board of Directors.

The notice shall contain:

- i. the nature of the alleged violation;
- ii. the time and place of the hearing;

- iii. an invitation to attend the hearing and produce any statement, evidence and witness on his or her behalf together with the opportunity to be represented by an attorney; and
 - iv. the proposed sanction or fine to be imposed.
- C. At the hearing, the alleged violator or his or her attorney has the right to present evidence and to cross-examine witnesses. The hearing is to be held in executive session. The minutes of the meeting shall contain a written statement of the results of the hearing and the determination of the Board of Directors plus the fine or sanction, if any, imposed.

PASSED THIS 16th day of Oct, 2000

AYES: 3

NAYES: 0

ABSENT: 0

APPROVED THIS 16th day of Oct, 2000

WILLOW CREEK SINGLE FAMILY
HOMEOWNERS ASSOCIATION

By: John Kaysyn

President

ATTEST:

By: Joe Sandars

Treasurer

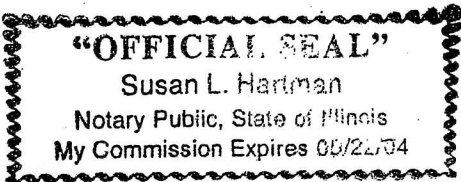
STATE OF ILLINOIS

)
)
SS

COUNTY OF DUPAGE

October 2000

The undersigned, a Notary Public in and for said State and County, does hereby certify that on the ~~15th~~ ^{10th} day of ~~May~~ ^{October}, 1999, Tormey Campagna, as the President and duly authorized agent of the Board of Directors of WILLOW CREEK HOMEOWNERS ASSOCIATION appeared before me in person, and acknowledged that (s) he signed the foregoing instrument for the use and purpose therein set forth.



(NOTARY SEAL)

Susan L. Hartman
Notary Public

Date: 10-27-00

Fining Schedule Amounts

In an effort to establish a consistent methodology in all fines levied against property owners within the Willow Creek Single Family Homeowners Association, the following fines have been established.

Any property owner who does not conform to the external wall material specification as outlined in the amended Architectural and Landscaping Control Manual document, 4.1 Phase I Criteria, subsection D, will be fined \$500 and every subsequent period of 60 days where the violation is not corrected, an additional fine of \$250 shall be levied.

In the same document, 4.1.1 Accessory Uses and Structures, the following fines will be levied as it relates to violations in each of the subsections labeled A-R. All violations not corrected within 30 days will have an additional fine equal to 50% of the original fine levied for every subsequent two week period where correction of the violation has not occurred.

<u>Restrictions</u>	<u>Fining Amounts</u>
A. Air Conditions	\$25.00
B. Animals	\$25.00
C. Antennas	\$25.00
D. Basketball Hoops	\$25.00
E. Clotheslines	\$25.00
F. Drilling or Mining	\$100.00
G. External Wiring	\$50.00
H. Fences	\$100.00
I. Garbage Cans	\$25.00
J. Gardens	\$25.00
K. Walls	\$50.00
L. Mailboxes	\$50.00
M. Play Equipment	\$50.00
N. Pond Frontage	\$50.00
O. Recreational & Commercial Vehicles	\$50.00
P. Signs	\$25.00
Q. Solar Collectors	\$100.00
R. Swimming Pools	\$100.00

Additionally, property owners who do not abide by Section 5, paragraph 2's provisions will be assessed a fine of \$50.00. This section talks to the sodding and seeding of new yards along with the removal of noxious weeds and unmowed grass.