



## SUMMERFIELD FARM HOMEOWNER ASSOCIATION

PO Box 1212, Louisburg, KS 66053

### RESOLUTION OF THE BOARD OF DIRECTORS OF SUMMERFIELD FARM HOMEOWNERS ASSOCIATION

#### Covenant Enforcement

WHEREAS, the Declaration and Declaration of Restrictions for Summerfield Farm, Section XXI, (hereafter "Declaration and Restrictions") grants the Board of Directors of the Summerfield Farm Homeowners Association with the power to enforce all covenants, restrictions, easements and charges contained in the Declaration;

WHEREAS, the Board of Directors desires to promote the health, safety and general welfare of all residents within the Association and to enhance and protect the value, desirability, and attractiveness of all property within the community known as Summerfield Farm by adopting guidelines and procedures to address concerns and complaints about the enforcement of the Declarations and its covenants, restrictions, easements and charges;

LET IT BE RESOLVED that the following covenant enforcement procedures will be followed:

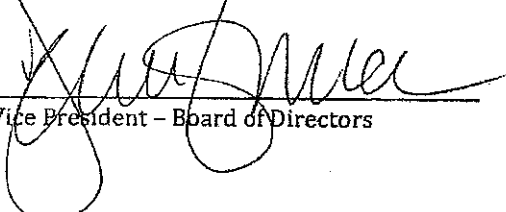
1. Effective Date. These rules and procedures shall become effective ten (10) calendar days after notice of their enactment is mailed to all owners.
2. Complaints. The Board of Directors will investigate all Declaration violations that are reported to the Board of Directors in writing and signed by the complainant within (30) calendar days after those complaints are sent to the Board. Inquires or complaints that, in the opinion of the Board, lack sufficient detail may be returned without further investigation. The Board may investigate inquiries about violations from Board Members.
3. Notification to Owners. If the investigation shows the report of violation is accurate, the Board shall give written notice by registered mail, return receipt requested, to the owner setting forth in reasonable detail the nature of such violation or breach and the specific action or actions which shall be taken by the owner to remedy the violation or to submit a plan to remedy the violation. Alternatively, the owner may request, within ten (10) calendar days of notice of violation, a hearing with the Board of Directors to appeal the notice of violation. Once an appeal is received, the Board shall hold an appeal meeting within 30 calendar days to review the matter with the property owner. If the appeal meeting does not take place within 30 calendar days, the matter is considered dropped. The Board's decision on the appeal is final.

4. Fines. If the owner does not request a hearing or if the Board determines that a violation or breach exists after a hearing, the Board may levy a fine of \$50 per occurrence against the property owner who has violated or breached the Declaration. If the violation or breach is not corrected within thirty (30) calendar days after the initial fine is assessed, the Board may levy an additional fine of \$100 for each additional thirty (30) calendar days that the violation or breach exist. The maximum assessed fine shall not exceed three (3) percent of the appraised value of the property as determined by the Miami County Kansas Appraisal's Office for the year that written notice of violation or breach is sent to the Owner.
5. Collection Provisions. All fines, costs and expenses necessary to enforce this policy shall be an assessment against the owner's property and subject to all lien and collection powers of the Association.
6. Unresolved Violations. After the expiration of sixty (60) calendar days following notice of a violation which no hearing is requested or alternatively after an appeal meeting, the Board may:
  - a. Suspend the rights or privileges of the owner relating to use of any common property within the Association and suspend the voting rights of the owner;
  - b. Pursue all rights of action available at law or in equity including, but not limited to the remedy of injunctive relief and obtaining a monetary judgment for all costs, expenses, including reasonable attorney fees, and damages.

Adopted by the Board of Directors this 11<sup>th</sup> day of February, 2013.

  
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President - Board of Directors

Darrin E. Chase  
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Printed Name

  
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Vice President - Board of Directors

Jennifer Mick  
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Printed Name