

RESOLUTION OF THE BOARD OF DIRECTORS OF FOUNTAIN HILLS HOMES ASSOCIATION

WHEREAS, the Fountain Hills Homeowners Association ("Association") is responsible for governance and maintenance of the association community ("Community"); and

WHEREAS, the Association exists pursuant to applicable state laws and the Association's governing documents; and

WHEREAS, the Association desires to encourage compliance with the Restrictions and Covenants; and

In addition, the Declaration of Restrictions authorize the Architectural Committee to establish in advance and change from time to time certain substantive guidelines and conditions that it intends to follow in make its decisions; and

WHEREAS, Fountain Hills Declarations of Restrictions provide that no change or alteration in exterior color scheme shall be made unless and until such change or alteration has been submitted to and approved in writing by the Architectural Committee; and

NOW THEREFORE, let it be resolved that the Association's Architectural Committee and Board of Directors have selected the approved colors for house paint as outlined in the attached exhibit A as the colors.

WHEREAS, the Declaration of Restrictions for Fountain Hills Homeowners Association, as amended from time to time, (hereafter "Declaration") grants the Board of Directors of Fountain Hills Homeowners Association ("Association") with the power to enforce all covenants, restrictions, easements and changes contained in the Declarations;

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 Fountain Hills by adopting guidelines and procedures to address concerns and complaints about the enforcement of the Declarations and its covenants, restrictions, easements and changes;

NOW THEREFOR let it be resolved that the following covenant enforcement procedures will be followed:

1. **Effective Date.** These rules and procedures shall become effective ten days after notice of their enactment is mailed to all owners. These rules and procedures replace all previous resolutions relating to covenant enforcement.
2. **Complaints.** The Board of Directors will investigate all Declaration violations that are reported to the Board of Directors (or the Association's property manager)

writing and within thirty (30) days after those complaints are sent to the Board. Inquiries or complaints which, 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.

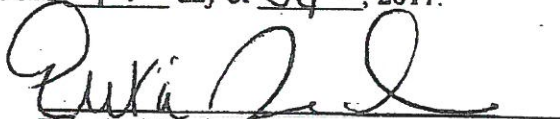
3. **Notification to Owners.** If the investigation shows the report of violation is accurate, the Board shall give written notice to the owner setting forth in reasonable detail the nature of such violation or breach and the specific action or actions which shall be taken by the owner to remedy such violation or breach. The notice shall give the owner thirty (30) days to cure the violation or to submit a plan to remedy the violation. Alternatively, the owner may request to meet with the Board of Directors at the next scheduled Board Meeting to appeal the notice of violation. If the owner wishing to appeal the notice of violation fails to appear at the scheduled Board Meeting, the matter is considered dropped. The Board's decision on the appeal is final.
4. **Fines.** If the owner does not request a meeting with the Board or if the Board determines that a violation or breach exists after the meeting, the Board may levy a fine up to the amount as indicated herein:
 - 4.a. New Roof installation which is non-compliant - \$10,000;
 - 4.b. Non-approved Exterior house paint color or lack of painting - \$5,000;
 - 4.c. Concrete deterioration of sidewalk/driveway/patio - \$5,000;
 - 4.d. Fence in disrepair or installed without approval of ARC - \$5,000;
 - 4.e. Non-approved lease agreement executed without approval from the Board of Directors - \$2,500;
 - 4.f. Landscaping installed without approval by the Association's Architectural Review Committee ("ARC") or in need of replacement as determined by a professional landscape company- \$1,000;
 - 4.g. Basketball goal installed without approval of the ARC - \$500; and
 - 4.h. Other miscellaneous violations - \$500.

The Board may determine the fine amount based on the estimated cost of the project after at least two bids from a professional contractor has been received. The fine shall not exceed the amount structured herein. The minimum of any fine levied shall be \$100 and shall not exceed \$10,000.

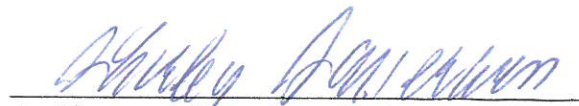
5. **Collection Provisions.** All fines, costs and expenses necessary to enforce this policy shall be an assessment against the owner's property and subject to all lien and collection powers of the Association.
6. **Unresolved Violations.** After the expiration of 30 days following notice of a violation which no meeting is requested or alternatively after an appeal meeting, the Board may:
 - 6.a. Suspend the rights and privileges of the owner relating to use of any common property within the Association and suspend the voting rights of the owner.

13. 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.
- 6.c. Through the Association's agents and employees, enter at all reasonable times upon any lot to which a violation, breach or other condition to be remedied exists, and take the actions specified in the notice to the owner to abate, extinguish, remove or repair such violation, breach or other condition which may exist thereon contrary to the provisions hereof. Such entry or action, or both, shall not be deemed to be a trespass or wrongful act. All costs and expenses, including reasonable attorney fees incurred by the Association or on its behalf in enforcing such violation, shall be a binding personal obligation of such owner enforceable at law, as well as a lien on such owner's lot enforceable to the provisions of the Declaration.

Adopted by the Board of Directors this 11 day of September, 2017.


Board of Director Signature

Printed Name: Erika Feingold


Architectural Committee Chair

Printed Name: Shirley Sauerwein

Fountain Hills Homeowners Association

Board of Directors Resolution

Exhibit A

Approved House Color List

Colors are only allowed in flat, satin, or low luster sheen.

A = Accent

B = Base

T = Trim

SW	Description	Usage	Sample				
6988	Bohemian Black	A		7025	Backdrop	AB	
6989	Domino	A		7026	Griffin	AB	
6990	Caviar	A		7027	Well-Bred Brown	A	
6258	Tricorn Black	A		7028	Incredible White	ABT	
6991	Black Magic	A		7029	Agreeable Gray	ABT	
6992	Inkwell	A		7030	Anew Gray	ABT	
6993	Black of Night	A		7031	Mega Greige	ABT	
6994	Greenblack	A		7032	Warm Stone	AB	
7000	Ibis White	ABT		7033	Brainstorm Bronze	AB	
7001	Marshmallow	ABT		7034	Status Bronze	A	
7002	Downy	ABT		7035	Aesthetic White	ABT	
7003	Toque White	ABT		7036	Accessible Beige	ABT	
7004	Snowbound	ABT		7037	Balanced Beige	ABT	
7005	Pure White	ABT		7038	Tony Taupe	ABT	
7006	Extra White	ABT		7039	Virtual Taupe	AB	
7007	Ceiling Bright White	ABT		7040	Smokehouse	AB	
7008	Alabaster	ABT		7041	Van Dyke Brown	A	
7009	Pearly White	ABT		7042	Shaji White	ABT	
7010	White Duck	ABT		7043	Worldly Gray	ABT	
7011	Natural Choice	ABT		7044	Amazing Gray	ABT	
7012	Creamy	ABT		7045	Intellectual Gray	ABT	
6385	Dover White	ABT		7046	Anonymous	AB	
7013	Ivory Lace	ABT		7047	Porpoise	AB	
6119	Antique White	ABT		7048	Urbane Bronze	A	
7014	Eider White	ABT		7049	Nuance	ABT	
7015	Repose Gray	ABT		7050	Useful Gray	ABT	
7016	Mindful Gray	ABT		7051	Analytical Gray	ABT	
7017	Dorian Gray	ABT		7052	Gray Area	ABT	
7018	Dovetail	AB		7053	Adaptive Shade	AB	
7019	Gauntlet Gray	AB		7054	Suitable Brown	AB	
7020	Black Fox	A		7055	Enduring Bronze	AB	
7021	Simple White	ABT		7056	Reserved White	AB	
7022	Alpaca	ABT		7057	Silver Strand	ABT	
7023	Requisite Gray	ABT		7058	Magnetic Gray	AB	
7024	Functional Gray	ABT		7059	Unusual Gray	AB	
				7060	Attitude Gray	AB	

7061	Night Owl	A		6068	Brevity Brown	A	
7062	Rock Bottom	A		6069	French Roast	A	
7063	Nebulous White	ABT		6070	Heron Plume	ABT	
7064	Passive	ABT		6071	Popular Gray	ABT	
7065	Argos	ABT		6072	Versatile Gray	ABT	
7066	Gray Matters	AB		6073	Perfect Greige	AB	
7067	Cityscape	AB		6074	Spalding Gray	AB	
7068	Grizzle Gray	AB		6075	Garret Gray	AB	
7069	Iron Ore	A		6076	Turkish Coffee	A	
6000	Snowfall	ABT		6091	Reliable White	ABT	
6001	Grayish	ABT		6092	Lightweight Beige	ABT	
6002	Essential Gray	ABT		6093	Familiar Beige	AB	
6003	Proper Gray	ABT		6094	Sensational Sand	AB	
6004	Mink	AB		6095	Toast	AB	
6005	Folkstone	AB		6096	Jute Brown	A	
6006	Black Bean	A		6097	Sturdy Brown	A	
6007	Smart White	ABT		6098	Pacer White	ABT	
6008	Individual White	AB		6099	Sand Dollar	ABT	
6009	Imagine	AB		6100	Practical Beige	ABT	
6010	Flexible Gray	AB		6101	Sands of Time	AB	
6011	Chinchilla	AB		6102	Portabella	AB	
6012	Browse Brown	AB		6103	Tea Chest	AB	
6013	Bitter Chocolate	A		6104	Kaffee	AB	
6035	Gauzy White	ABT		7501	Threshold Taupe	ABT	
6036	Angora	ABT		7502	Dry Dock	ABT	
6037	Temperate Taupe	AB		7503	Sticks & Stones	ABT	
6038	Truly Taupe	AB		7504	Keystone Gray	ABT	
6039	Poised Taupe	AB		7505	Manor House	A	
6040	Less Brown	AB		7506	Loggia	ABT	
6041	Otter	A		7507	Stone Lion	ABT	
6042	Hush White	ABT		7508	Tavern Taupe	ABT	
6043	Unfussy Beige	ABT		7509	Tiki Hut	ABT	
6044	Doeskin	AB		7510	Chateau Brown	A	
6045	Emerging Taupe	AB		7511	Bungalow Beige	ABT	
6046	Swing Brown	AB		7512	Pavilion Beige	ABT	
6047	Hot Cocoa	A		7513	Sanderling	ABT	
6048	Terra Brun	A		7514	Foothills	ABT	
6063	Nice White	ABT		7515	Homestead Brown	A	
6064	Reticence	ABT		7516	Kestrel White	T	
6065	Bona Fide Beige	ABT		7517	China Doll	T	
6066	Sand Trap	AB		7518	Beach House	BT	
6067	Mocha	AB		7519	Mexican Sand	BT	

7520	Plantation Brown	A		7572	Lotus Pod	ABT	
7526	Maison Blanche	ABT		7573	Eaglet Beige	ABT	
7527	Nantucket Dune	ABT		7574	Echelon Ecru	ABT	
7528	Windsor Greige	ABT		7575	Chop Sticks	A	
7529	Sand Beach	ABT		7631	City Loft	T	
7530	Barcelona Beige	ABT		7632	Modern Gray	T	
7531	Canvas Tan	ABT		7633	Taupe Tone	ABT	
7532	Urban Putty	T		7634	Pediment	T	
7533	Khaki Shade	ABT		7635	Palisade	ABT	
7534	Outerbanks	ABT		7636	Origami White	T	
7535	Sandy Ridge	ABT		7637	Oyster White	T	
7536	Bittersweet Stem	ABT		7638	Jogging Path	ABT	
7537	Irish Cream	T		7639	Ethereal Wood	ABT	
7538	Tamarind	ABT		7640	Fawn Brindle	ABT	
7539	Cork Wedge	ABT		7641	Collonade Gray	ABT	
7540	Artisan Tan	ABT		7642	Pavestone	ABT	
7541	Grecian Ivory	T		7643	Pussywillow	ABT	
7542	Naturel	ABT		7644	Gateway Gray	ABT	
7543	Avenue Tan	ABT		7645	Thunder Gray	A	
7544	Fenland	ABT		7656	Rhinestone	T	
7545	Pier	A		7657	Tinsmith	ABT	
7546	Prairie Grass	ABT		7658	Gray Clouds	ABT	
7547	Sandbar	T		7659	Gris	ABT	
7548	Portico	ABT		7660	Earl Grey	ABT	
7549	Studio Taupe	ABT		7666	Fleur De Sel	T	
7550	Resort Tan	ABT		7667	Zircon	ABT	
7562	Roman Column	T		7668	March Wind	ABT	
7563	Restful White	T		7669	Summit Gray	ABT	
7564	Polar Bear	T		7670	Gray Shingle	ABT	
7565	Oyster Bar	T		7671	On The Rocks	T	
7566	Westhighland White	ABT		7672	Knitting Needles	ABT	
7567	Natural Tan	ABT		7673	Pewter Cast	ABT	
7568	Neutral Ground	ABT		7674	Peppercorn	A	
7569	Stucco	ABT		7675	Sealskin	A	
7570	Egret White	T					
7571	Casa Blanca	T					

ALL requests must still be approved in writing prior to the commencement of work.

These Sherwin Williams paint colors have been approved the HOA Architectural Committee. Homeowners may request the same color made by another paint retailer by submitting the paint retailer name and paint color code. Any request must be first approved by the ARC.

Non-approved exterior house paint color or lack of paint will result in a \$5,000 fine.