

## Violation and Enforcement Guidelines

A meeting of the Rules and Restrictions Task Force was held on 24 March 2005 to adopt violation and enforcement guidelines for Bailey's Grove platted lots.

The Declaration of Restrictions and Agreement for the Bailey's Grove plats states that the Board of Directors of the Association and/or their agent(s) will attempt to enforce the Declaration of Restrictions and Agreement as fair and best as reasonably possible but cannot be expected to oversee or enforce every infraction and are not responsible for property owners who refuse to obey the restrictions. It should be understood that plat restrictions, rules, and regulations require the commitment and voluntary compliance of the property owners.

The Board of Directors has adopted the following practices and procedures regarding restriction violations and enforcement in Bailey's Grove:

Warning Notices. The Board of Directors and/or their agent(s) shall give written warning to property owners in violation of the Declaration of Restrictions and Agreement before loss of rights and/or penalties are imposed or legal proceedings are taken.

Appeals. Should lot owners disagree with their charged violation(s), a written appeal can be made to the Property Owners Association Board of Directors. The Board will conduct an investigation and give written notice to the lot owner for a hearing before the Board. The lot owner is encouraged but not required to attend the hearing. The hearing will be conducted regardless of lot owner attendance. If the lot owner is found to have violated the restrictions, the Board's determination shall state what corrective action needs to be taken. The Board reserves the right to uphold, amend, or dismiss the violation charge(s). The Board's decisions shall be final.

Enforcement. If the violation is not corrected within a punctual but reasonable time period as set by the Property Owners Association Board of Directors and/or their agent(s), enforcement through one or more of the following methods will be pursued:

- a. Suspension of voting rights pursuant to the By-laws of the Association.
- b. Suspension of use rights to recreational facilities, including but not limited to the community center, gazebo, and pool, pursuant to the By-laws of the Association.
- c. Fines assessed at levels set by the Property Owners Association Board, with late charge(s) added for every month the account is past due.
- d. Property liens may be filed in the same manner as unpaid annual association dues for unpaid charges, fines, and late fees. Property liens may also be filed for the estimated cost to bring unapproved non-compliant exterior site improvements into compliance.
- e. Foreclosure of the lien the same as if the lien were a mortgage.
- f. Police enforcement.
- g. Filing of a court action in District Court to seek a monetary judgment.
- h. Legal prosecution to prevent the violation and/or to recover damages for such violation.
- i. Any other recourse action deemed appropriate by the Board of Directors and/or their agent(s).