

**RESOLUTION OF THE
VENTANA HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS
ADOPTING A WATER RESTRICTION POLICY**

 **FILE**

COPY

WHEREAS, pursuant to Section 24 of the Declaration of Horizontal Property Regime and Declaration of Covenants, Conditions and Restrictions for Ventana Condominiums, recorded at No. 84-242844 with the Maricopa County Recorder's Office, and thereafter as amended ("CC&R's"), the Association has the right to enforce, by any remedies or relief in law or in equity, an owner's failure to pay their assessments; and

WHEREAS, the Board of Directors, acting on behalf of the Association, wishes to enforce the provisions of the CC&Rs regarding payment of assessments for the common expenses; and

WHEREAS, the Board has determined that some owners consistently fail to pay their assessments and related charges on time and in full; and

WHEREAS, the assessments include a component for water service to the Units paid for by the Association; and

BE IT THEREFORE RESOLVED, that effective upon execution of this Resolution, the Board adopts the Ventana Homeowners Association Water Restriction Policy attached hereto.

DULY APPROVED by unanimous consent of the Board of Directors on the 13th day of November, 2014, as indicated by the signatures below or attached.



Betty Trotter

Ronda M. Hill

Dorothy Stone

Jean Russell

VENTANA HOMEOWNERS ASSOCIATION WATER RESTRICTION POLICY

Ventana Homeowners Association has adopted the following Water Restriction Policy ("Policy") pursuant to the Resolution of the Ventana Homeowners Association Board of Directors Adopting a Water Restriction Policy dated November 13, 2014. The Policy is effective immediately and supersedes any prior water restriction policy or provision. Capitalized terms shall have the same definition as in the CC&Rs.

1. In the event that an Owner remains more than sixty (60) days past due on their assessments, together with any unpaid fines, legal fees or other unpaid charges, water will be restricted to the Owner's unit.
2. Notice shall be mailed and placed on the door of the unit at least fifteen (15) days in advance of the water restriction date informing of the pending water restriction. Additional notices may be utilized, but are not required.
3. The Owner or occupant has an opportunity to appeal to the Board of Directors for relief from the water restriction. The Association will accommodate a request based on a disability. Disability based accommodations must be received by the Association's managing agent no later than five (5) days prior to the scheduled water restriction date.
4. Owners whose unit's water access is restricted are responsible for all related charges.
5. The Board retains discretion as to whether it will require payment in full or allow the Owner to enter into a payment plan. Partial payment(s) by an Owner not under a payment plan will not cease water restriction at the Owner's unit. Subject to the Board's discretion, payment in full of the entire delinquent account is necessary to cease water restriction.
6. In the event that an Owner or occupant damages, removes, or tampers with a water restriction device after it has been installed, the Owner will be subject to an additional \$500.00 fine.
7. This policy may be amended from time to time by a majority of the Board of Directors of the Ventana Homeowners Association.