

**RESOLUTION
LANDSCAPE VIOLATIONS**

ROGERS RANCH UNIT 2 HOMEOWNERS ASSOCIATION

WHEREAS, the undersigned constituting a majority of the members of the Board of Directors of the Rogers Ranch Unit 2 Homeowners Association (the "Association"), an Arizona nonprofit corporation, hereby takes the following action at a duly held Board of Directors' Meeting on **January 22nd , 2020** and, reflected in the meeting minutes;

WHEREAS, the Association is governed by a *Declaration of Covenants, Conditions, Restrictions, and Easements* recorded at Instrument No. 2004-0074235, official records of Maricopa County, Arizona, (the "Declaration");

WHEREAS, all Lots within the Association are governed by the Declaration;

WHEREAS, Article 5, Section 5.15 of the Declaration requires each Owner to keep their Lot and any public right-of-way areas lying between the front or side boundaries of such Lot and an adjacent street free of debris and weeds at all times and promptly repair portions of the landscaping which have been damaged (the "Landscape Restrictions");

WHEREAS, pursuant to Article 10, Section 10.1 of the Declaration and Arizona Revised Statute §33-1803(B), after notice and an opportunity to be heard, the Board of Directors may impose reasonable monetary penalties on Owners for violations of the Declaration, and the Rules and Regulations;


WHEREAS, Article 6, Section 6.3 of the Declaration sets forth that by a majority vote of the Board, the Association may, from time to time adopt, amend and repeal Rules and Regulations;

WHEREAS, the Association has determined that its current Fine Policy is ineffective and desires to set forth a schedule of monetary penalties and enforcement action for violations of Landscape Restrictions that will create a sufficient economic disincentive for violations;


NOW, THEREFORE, based on the power authorized to the Board of Directors, the Board of Directors hereby adopts this Resolution with the following fine and enforcement policy for violations of the Landscape Restrictions. The provisions below are now part of the Association's Rules:

1. In accordance with Arizona Revised Statute § 33-1803(B), the Association may levy up to a \$50.00 fine against an Owner for the Owner's first violation of the Landscape Restrictions. Up to a \$100.00 fine may be levied for an Owner's second violation within a 12 month time period. Up to a \$200.00 fine may be levied for all subsequent violations within a 12 month time period.
2. Notwithstanding the foregoing, depending on the specific nature and circumstances of the violation, the Board of Directors reserves the right to deviate from this fine and enforcement policy. The Board of Directors further reserves the right to refer the matter to the Association's legal counsel at any time for enforcement action.


Adopted by the Board of Directors this 22nd day of April, 2020.




Director



Director



Director



Director



Director



Director



Director