MILLSTONE HOMEOWNERS ASSOCIATION BOARD OF DIRECTORS RESOLUTION

This Resolution is hereby adopted by a majority of the Board of Directors ("Board") for Millstone Homeowners Association ("Association") and is effective as of the date of adoption stated herein below.

RECITALS

WHEREAS, the Association is governed by the Declaration of Covenants, Conditions and Restrictions for Millstone recorded with the Office of the Maricopa County Recorder at Instrument No. 2005-0593099 and the First Amendment recorded at Instrument No. 2005-0674575 ("CC&Rs"), the Association's Bylaws, the Association's Rules and Regulations ("Rules"), the Association's Enforcement Policy ("Enforcement Policy") adopted on February 22, 2018, and all other Resolutions or policies adopted by the Association (collectively referred to herein as the "Governing Documents").

WHEREAS, Section 8.6 of the CC&Rs and Section 3.9.7 of the Bylaws provides the Board of Directors ("Board") with the authority to make and enforce reasonable Rules and Regulations governing the use of the Lots, Common Elements and all parts of the Project (collectively referred to herein as the "Community").

WHEREAS, in accordance with Section 3.9.19 of the Bylaws and Arizona Revised Statutes §33-1242(A)(11) the Association has authority to assess fines for violations of the Governing Documents.

WHEREAS, capitalized words in this Resolution shall carry the same meaning as defined in the Governing Documents unless stated otherwise herein.

WHEREAS, Owners, guests, invitees, and tenants are obligated to abide by the Governing Documents and this Resolution.

WHEREAS, the Board of Directors seeks to amend its Rules and Enforcement Policy to address specific violations in the Community and establish accompanying fines for said violations and in the event of any conflict between this Resolution and the Enforcement Policy, the language herein shall control.

THEREFORE, BE IT RESOLVED that the Board, pursuant to the Governing Documents and Arizona law, hereby amends its Rules and Enforcement Policy as follows:

- 1. The Board hereby establishes the following rules to be incorporated into the Rules:
 - a. <u>Public Urination</u>: Public urination by an Owner, or the Owner's guest, resident, tenant or invitee, is strictly prohibited anywhere in the Community, including, but not limited to, patios, balconies, porches, parking areas, and Common Elements.

- b. <u>Trash Containers/Dumpsters</u>: All trash is to be placed in trash containers and dumpsters and no trash is permitted to be deposited on the ground near or around the dumpsters in the Community. Under no circumstances may the following items be deposited in or around the dumpsters: construction materials, lumber, shingles, brick, rock, concrete, dirt, sod, sand, auto parts, home appliances (refrigerators, freezers, washers, dryers, microwaves, televisions, dishwashers), furniture, motor oil and hazardous materials.
- 2. The following Schedule of Fines shall apply to any violation of the Noise Section in the Rules as well as the Rules stated in paragraph 1 above (all are collectively referred to herein as the "Specific Rules") and replaces the schedule of notices and fines set forth in the Enforcement Policy:
 - a. The Board hereby establishes a fine of \$150.00 for a first violation of the Specific Rules, a fine of \$300.00 for a second violation of the Specific Rules, and a fine of \$450.00 for any subsequent violation of the Specific Rules.
 - b. Notwithstanding any provision or time requirement set forth in the Association's Enforcement Policy, these fines may be imposed against any Owner in violation of the Specific Rules after the Association provides the Owner a notice and an opportunity to be heard.
- 3. Owners receiving a notice of violation of the Specific Rules shall have the following rights in responding to and contesting said notices:
 - a. Any Owner who receives a notice of violation of the Specific Rules shall have an opportunity to contest the notice and accompanying fine by sending the Association a written response to the notice of violation by certified mail within twenty-one (21) days of the date of the notice of violation.
 - b. Any Owner contesting a notice of violation of the Specific Rules may also request a hearing with the Association's Board of Directors that, if granted, will take place on a date set by the Board and during the Board's executive session meeting unless the Owner requests to meet with the Board during an open meeting.
 - c. Following an appeal hearing, the Board of Directors will render a decision and notify the Owner in writing within ten (10) business days.
 - d. All decisions of the Board are final and may not be further appealed.
- 4. Owners are responsible for the actions of their tenants and will be assessed fines in the event of a violation of the Specific Rules by their tenant(s).

- 5. Notwithstanding the foregoing, and after providing an Owner with its first notice of violation of the Specific Rules, nothing in this Resolution will limit the Association's right to pursue any and all legal rights and remedies to address an Owner's violation of the Specific Rules.
- 6. Unless otherwise stated herein, all other provisions of the Governing Documents shall remain in full force and effects.

This Resolution was passed this 22 day of September, 2020, by a majority of the Board of Directors for the Association as evidenced by signatures below.

MILLSTONE HOMEOWNERS ASSOCIATION

By:	Catherine B Simpson (Sep 21, 2020 22:20 PDT)	_	
By:	PATRICIA ENGLIN PATRICIA ENGLIN (Sep 22, 2020 09:27 CDT)		
By:		_	
By:	Grant Croissant Grant Croissant (Sep 22, 2020 11:29 PDT)	_	
By:			
By:			
Signature:	Catherine B Simpson (Sep 21, 2020 22:20 PDT)	Signature:	PATRICIA ENGLIN PATRICIA ENGLIN (Sep 22, 2020 09:27 CDT)
	cbsimpsonaz@cox.net	Email:	patriciaenglin@gmail.com
Title:	Board Member	Title:	Manager
Company:	Millstone HOA	Company:	First solar
Signature:	Russell e. Greey (Sep 22, 2020 07:41 PDT)	Signature:	Grant Croissant Grant Croissant (Sep 22, 2020 11:29 PDT)
Email:	rgreey@greeypickett.com	Email:	gcroissant@360cloudsolutions.com
Title:	President	Title:	Board member
Company:	Greeypickett	Company:	Millstone HOA

Millstone Resolution

Final Audit Report 2020-09-22

Created: 2020-09-21

By: Grant Croissant (gcroissant@360cloudsolutions.com)

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