

Ellsworth Heights

Homeowners Association

Board Resolutions



Ellsworth Heights
Homeowners Association
P.O. Box 5720
Mesa, AZ 85211

PREFERRED COMMUNITIES
"LOVING WHERE YOU LIVE."

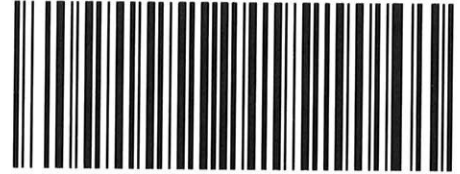


When recorded mail to:

Name: _____

Address: _____

City/State/Zip: _____



OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2010-0736069 08/26/10 01:06 PM
1 OF 2

HOVP

this area reserved for county recorder

CAPTION HEADING:

DO NOT REMOVE

This is part of the official document.

**UNANIMOUS CONSENT TO ACTION BY THE BOARD OF DIRECTORS OF
ELLSWORTH HEIGHTS HOMEOWNERS ASSOCIATION
C/O PREFERRED COMMUNITIES
P.O. BOX 5720, MESA, ARIZONA 85211
(480) 649-2017 FAX (480) 649-0902**

The undersigned, constituting all of the members of the Board of Directors of ELLSWORTH HEIGHTS Homeowners Association, Inc., an Arizona non-profit corporation, here by take the following action in writing at a duly called meeting of the Board.

WHEREAS, Article 7 of the Declaration of Covenants, Conditions and Restrictions for ELLSWORTH HEIGHTS Homeowners Association provides the Board of Directors with the authority to set forth collection policies. The board has adopted the rules below pertaining to the collection of Assessments.

The purpose of this rule is to ensure the timely and fair collection of Assessments to ensure the Association has the funds necessary to provide for the management, maintenance, and care of the areas of association responsibility.

The scope and intent of this resolution is to apply uniformly to all members of the Association.

The actions of this policy regarding collection of assessments owed the community are as follows:

- a) 15 days after the monthly assessment due date, a late notice is sent to the homeowner and a late fee of \$15.00 is assessed,
- b) 30 days after the monthly assessment due date, a final notice is sent to the homeowner and a final notice fee is assessed as outlined in the Association's contract with the management company,
- c) 60 days after the monthly assessment due date, an "Intent to Lien" notice is sent to the homeowner and an "Intent to Lien" notice fee is assessed to the homeowner's account as outlined in the Association's contract with the management company,
- d) 75 days after the monthly assessment due date, a lien is recorded with the Maricopa County Recorder, a copy is sent to the homeowner and a Lien recording fee is assessed to the homeowner's account as outlined in the Association's contract with the management company,
- e) 90 days after the monthly assessment due date, "Intent to pursue legal action" notice of the total amount due plus an "Intent to pursue legal action" notice fee is assessed to the homeowner's account as outlined in the Association's contract with the management Company,
- f) 105 days after the monthly assessment due date, Summons and Complaint are filed with the Justice Court and the homeowner is "served notice" of the lawsuit by a document server. The homeowner's account will be charged with the legal document preparer fee, court fee, and process server fee. The amount of the Legal Document Preparer fee is outlined in the Association's contract with the management company,
- g) Further actions will be taken as necessary, including, but not limited to, default judgment, summary judgment, garnishment of wages, or foreclosure pursuant to Arizona Revised Statutes and Declaration of Covenants, Conditions and Restrictions for Cordova Homeowners Association.

- e) Payments will be applied to an account as follows (according to Arizona State Law):
1. Past Due Assessments
 2. Late Charges
 3. Collection Fees
 4. Attorney Fees/Costs
 5. Fines

RESOLVED, that the ELLSWORTH HEIGHTS Homeowners Association Board of Directors and Preferred Communities shall afford homeowners the opportunity to request a hearing as provided by the Association documents to contest any late fee or fine assessed; and

RESOLVED, that the ELLSWORTH HEIGHTS Homeowners Association Board of Directors and Preferred Communities shall afford homeowners the opportunity to initiate a time-payment plan in order to reduce or eliminate their outstanding debt to the Association, specified in writing and mutually agreed to by the homeowner and Cactus Park Estates Homeowners Association Board of Directors; and

RESOLVED, that any subsequent default, cessation or refusal to make timely and consistent payments on such time-payment plan shall constitute default on the part of the homeowner and shall result in initiation of legal collection procedures; and

RESOLVED, that the board shall retain the right to amend or repeal this resolution.

IN WITNESS WHEREOF, the undersigned have executed this consent as of this 10 day of JUNE, 2010.

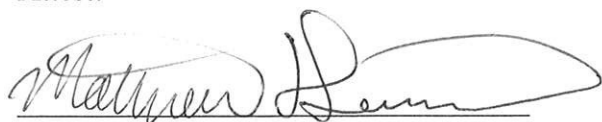
I hereby certify that the above resolution(s) were duly adopted by unanimous consent by the ELLSWORTH HEIGHTS Homeowners Association Board of Directors on the above date.



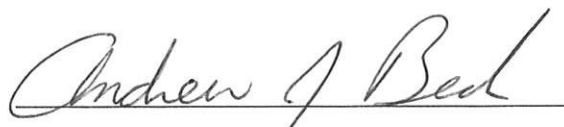
HOA Secretary

The undersigned officer hereby certifies that the foregoing instrument has been signed by the Secretary of the HOA.

Attest:



HOA President



HOA Treasurer

When recorded mail to:

Name: _____

Address: _____

City/State/Zip: _____



OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2010-0736070 08/26/10 01:06 PM
2 OF 2

HOYP

this area reserved for county recorder

CAPTION HEADING:

DO NOT REMOVE

This is part of the official document.

**UNANIMOUS CONSENT TO ACTION BY THE BOARD OF DIRECTORS OF
ELLSWORTH HEIGHTS HOMEOWNERS ASSOCIATION
C/O PREFERRED COMMUNITIES
P.O. BOX 5720, MESA, ARIZONA 85211
(480) 649-2017 FAX (480) 649-0902**

Pursuant to the authority contained in the Arizona Revised Statutes and the governing documents of the association, the Board of Directors of the Ellsworth Heights Homeowners Association hereby adopts the following resolution by unanimous consent for and as the actions of the Ellsworth Heights Homeowners, as of the date set forth below:

RESOLVED, to adopt the following.

Fine schedule and policy for violations of the CC&R's and Rules and Regulations as may be adopted or modified from time to time by the Board of Directors for the Ellsworth Heights Homeowners Association.

DATED as of the 10 day of June 2010

Violations will be cumulative for the fiscal year.

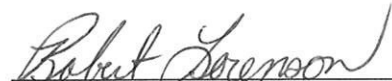
1. First notice Reminder/warning letter giving 10 days to comply.
2. Second letter stating final reminder/warning letter giving 10 days to comply.
3. Third letter stating fine in the amount of \$50.00, giving notice to owner that they have a right to a hearing and must contact the manager for date and time. 10 days to comply.
4. Fourth letter stating subsequent fine of \$75.00 for continuing violation. Letter to state total fines assessed as of the subsequent violation. 10 days to comply.
5. Fifth and all letters thereafter stating subsequent fine of \$100.00 for continuing violations. 10 days to comply.
6. Subsequent non-compliance: Upon board approval the Association will seek relief of violations through the Association Attorney and the Court system. All cost will be a part of the judgment that is being sought.

Violations that threaten the health, safety and welfare of homeowners and residents, such as drug use and sales, discharging firearms, arson, vandalism and any other violation that the Board deems to be of an egregious nature will be fined at \$200.00 to \$500.00 per occurrence.

Procedures:

1. Homeowners will be notified by mail of all violations.
2. The homeowner has the right to a hearing before the Board or Violations Committee where decisions of the Board are final.
3. Board will direct Management Company, as to waiving or assessing of fines at each hearing or board meeting and for all pending fines and/or legal action with the Association's Attorney.

I hereby certify that the above resolution(s) were duly adopted by unanimous consent by the Ellsworth Heights Homeowners Association Board of Directors on the above date.



HOA Secretary

The undersigned officer hereby certifies that the foregoing instrument has been signed by the Secretary of the HOA.

Attest:



HOA President



HOA Treasurer