

RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
DENNEY ROAD ROWHOMES OWNERS' ASSOCIATION

The following Resolution is adopted as of the 22 day of October 2007, by the Board of Directors of the Denney Road Rowhomes Owners' Association (the "Association").

WHEREAS, the Board of Directors is charged with enforcing the provisions of the Declaration of Covenants Conditions and Restrictions of the Denney Road Rowhomes, recorded on October 27, 1997, in the deed records of Washington County, Oregon, as Document Number 97100415.1 (the "Declaration"), and the Bylaws and Rules and Regulations of the Association, and the Association has the authority pursuant to the Declaration and ORS 94.630(1)(n) to take legal action against noncomplying unit owners; and

WHEREAS, the Board has authority under ORS 94.630(1)(n) to levy fines pursuant to a schedule contained in a resolution adopted by the Board, and the Board believes that a policy for levying fines against noncomplying unit owners is a valuable enforcement tool that may be used in addition to, or in lieu of, other such enforcement tools, and wishes to adopt a policy implementing such fines; and

WHEREAS, violations vary widely in their circumstances and nature, and the Board finds that establishing a single fine for all violations would not be appropriate or equitable and that leaving determination of the amount of any fine to the sound discretion of the Board, within the limits established by a fine policy, after hearing all the facts and circumstances surrounding the violation, is equitable;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, pursuant to the power granted in 94.630(1)(n), that the Board shall have the authority to levy fines, per violation of the Declaration, Bylaws or Rules and Regulations, in an amount not exceeding:

- 1) five Hundred and No/100 Dollars (\$500.00), or, in the case of a continuing violation;
- 2) One Hundred and No/100 Dollars (\$100.00) per day, up to a maximum that may be established by the Board in each instance.

The exact amount of each fine (and the amount, duration, and maximum cumulative fine, with respect to continuing violations) will be established by the Board in each instance after considering the facts and circumstances surrounding the violation; and it is further

RESOLVED, that the Board shall levy no fine until written notice of the violation has been sent to the offending owner, and until such person has had an opportunity to be heard before the Board or any committee that the Board may appoint from time to time for such purpose; and it is further

RESOLVED, that all fines levied pursuant to this policy shall be deemed common expenses that are due and payable by the owner against whom such fines are assessed and, unless timely paid, shall become a part of any lien that may be filed by the Association against the unit owned or occupied by such offending owner or occupant.

IN WITNESS WHEREOF, the undersigned Secretary hereby certifies that the resolution set forth above was duly adopted by the Association's Board of Directors and mailed to each unit owner.

**DENNEY ROAD ROWHOMES OWNERS'
ASSOCIATION**

By: Susan Chambers
Chairman
By: Chris R.
Secretary