

THE POINTE ASSOCIATION, INC.
A Not-for-Profit Corporation

**A RESOLUTION OF THE BOARD OF DIRECTORS
ESTABLISHING ENFORCEMENT POLICY
OF DECLARATION ARTICLE VII, SECTION 7**

BE IT HEREBY RESOLVED by The Pointe Association, Inc., as follows:

1. WHEREAS Article VII, Section 7 of the Declaration of Covenants, Conditions, Restrictions and Easements for The Pointe Homeowners Association, Inc. states 1) that boats, snowmobiles, trailers, camping vehicles, busses, camper tops, ATVs, tractor trailers, trucks in excess of 9,000 lbs gross weight or unlicensed or inoperable vehicles shall not at any time be stored or parked on any Lot outside of a house or garage, and 2) no vehicle shall be parked outside of a house or garage for more than 7 consecutive days.
2. WHEREAS the Association shall enforce the covenants and restrictions under the authority of Article XI, Section 1.
3. THAT a Lot is in violation of Part 1 if any member(s) of the Board of Directors observe a prohibited vehicle parked outside of the garage a second time two or more days after the first observation date. For example, if a prohibited vehicle is first observed on June 5th, and the same vehicle is observed again on June 7th, it is a violation. In effect, there is a two day grace period – the day of first observation plus one additional day. It does not matter if the prohibited vehicle moves during the grace period.
4. THAT the Board shall make a reasonable effort to record and track the last violation date of each Lot. If a Lot is deemed in violation of #3 above and the Lot has no prior violation, or the last violation occurred over 12 months ago, the Board shall first mail a friendly reminder of the rule to the homeowners. The Board shall then physically inspect the property 5 days after the reminder. If the prohibited vehicle is present, the Board shall proceed with #5 below.
5. THAT the Board shall promptly mail a warning letter to the homeowners as soon as the Lot is deemed in violation per #3 above. The letter shall allow 4 days from the letter's date to remove the vehicle from the premises, shall state the date the violation was observed and shall state that the violation occurred under Article VII, Section 7 of the Declaration.
6. THAT a member of the Board shall determine via physical inspection whether the violation has been corrected on the 4th day from the date of the letter.
7. THAT, if the Lot remains in violation, the Board shall promptly mail a due process letter to the homeowners stating that legal proceedings, at the homeowner's expense, shall begin 10 days from the letter's date. The letter shall also state that the homeowners may submit within 10 days a written request for a formal hearing before the Board. If no written request is received within the stated time period, the case shall be referred immediately to the Association's attorney.

8. THAT a Lot with continuing or repeated violations may be handled outside of this policy on an individual basis, to be determined by the Board on a case-by-case basis.

9. THAT the Board interprets Part 2, as defined in #1 above, to mean that no vehicle shall be parked outside of a house or garage for more than 7 consecutive days *without being driven*.

ADOPTED by the Board of Directors this 11th day of September, 2005.

THE POINTE ASSOCIATION, INC.

By Becky Bickett, Secretary