

SOUTHPARK OWNERS'S ASSOCIATION, INC.

COVENANT CONTROL COMMITTEE ENFORCEMENT PROCEDURE

Effective February 9, 2007

Duly Adopted by the Board of Directors, January 9, 2007

If a violation of either the Declaration, Design Guidelines, Rule or Regulations, or other governing documents occurs, the following Enforcement Procedure shall apply:

1. **Courtesy Contact.** Informal communication regarding the violation of the governing documents.
2. **Notice of Infraction.** The appropriate Member will be sent a Notice of Infraction requesting correction of the infraction or immediate cessation of the action, unless otherwise stated. The time frame to correct the infraction shall be thirty (30) days. If the problem continues a Second Notice shall be sent and a Hearing shall be scheduled by the Association.
3. **Second Notice.** Attend a Hearing and/or a \$1,000.00 fine. The Member may or may not attend the Hearing to explain his/her side of the issue. If the notified Member does not attend the scheduled Hearing or present a written response, the Southpark Owner's Association will make its decision without Member input. The Member will be sent a written Notice with the result of the Hearing. The result of the Hearing will be either assessment of the \$1,000 fine or waiver of the fine. If the fine is to be assessed, the Notice will include a Demand for payment. All assessed fines are due and payable as noticed.

NOTE: If the \$1,000.00 fine was waived by the SouthPark Owner's Association and the violation continues, the same process that is listed under the Second Notice (paragraph 3 above) shall be repeated. Any Member will receive a Hearing before a fine is assessed.

4. **Third Notice.** If no corrective action or cessation of an action has been performed by a Member after a Hearing has been held and at which the SouthPark Owner's Association has assessed a fine, then, not less than thirty (30) days from the Hearing date, the Member will be sent a Third Notice requesting correction of the infraction or immediate cessation of the action, which notice is accompanied by an automatic and additional \$1,000.00 fine.
5. **Continued Notice.** If no corrective action or cessation of an action has been performed by a Member after a Third Notice, then, not less than thirty (30) days from the date of the Third Notice, the Member will be sent a Continued Notice of the listed infraction, which is accompanied by an additional \$1,000.00 fine. Thereafter and not less than thirty(30) days between notice dates, the Member will be sent a Continued Notice with an additional \$1,000.00 fine.
6. **Attorney Notice of Litigation.** If a fine was assessed and remains unpaid as called for in the Demand Notice, the Member will be turned over to legal counsel for enforcement.

All fines, charges and fees assessed under this Enforcement Procedure shall be treated as an assessment and, as such, the Association has available all the legal remedies as found in the governing documents, including lien rights.

Any and all costs associated with this Enforcement Procedure and any litigation or court costs shall be the responsibility of the appropriate Member.