

RESOLUTION 2021-1
HIGHGARDEN COMMUNITY ASSOCIATION, INC.
(RULES ON VIOLATIONS NOTICES, REASONABLE MONETARY PENALTIES)

The Highgarden Community Association, Inc. (the Association) is a residential real estate development association pertaining to all the Lots and Blocks within the real property platted as Highgarden Section 1 and Highgarden Section 2 in Oklahoma County, State of Oklahoma (the Addition).

Whereas the Declaration to the Addition is recorded at Book 13749, Page 1473 (Phase 1), Book 14030, Page 675 (Amendment Phase 1), Book 14438, Page 1619 (The Woods at Highgarden) (the Declaration), and has been supplemented and amended from time to time;

Whereas the Declaration to the Addition provides for the Board's adoption of rules and regulations, including adoption of reasonable monetary fines and penalties. Specific Assessments, and the recording of liens for the same;

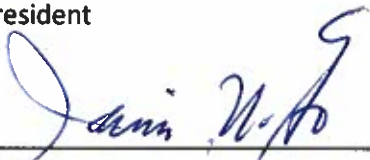
Whereas the Board finds it reasonable and necessary to adopt a progression of written notices and reasonable monetary penalties as an alternative to district court litigation for injunctive relief;

And whereas the Board, upon at least five days' notice to the Members, at a duly called Board meeting at which the Members were given a reasonable opportunity to be heard, has adopted the rules set out within **Exhibit 1** attached to this Resolution.

Therefore, the reasonable monetary fine schedule/Specific Assessments and procedures attached hereto as **Exhibit 1** are hereby adopted.



President



Attest

Violation Warnings and Monetary Penalties Schedule

1. **Initial Notice of Violation and Warning Letter**
 - Notification letter sent to owner and occupant if different to inform than of a violation
 - Depending on the violation and the circumstances, a reasonable amount of time is given to cure the violation
 - This letter provides the Owner information regarding the timing and amounts of possible fines, liens and potential loss of good standing status (loss of common area use and voting privileges)
2. **Second Notice of Violation and Warning Letter**
 - Notification letter sent to owner and occupant, if difference, to remind them of the violation
 - Depending on the violation and the circumstances, a reasonable amount of time is given to cure the violation
 - This letter again provide the Owner information regarding the timing and amounts of possible fines, liens and potential loss of good standing status (loss of common area use and voting privileges)
3. **Notice of Monetary Penalties and Due Process Hearing Letter**
 - If the violation has not been remedied within the timeframe given in the second notice of violation letter, then the Owner is “served” with this notice per Bylaws, Article 4.3B
 - Owner given notice of the Board’s intent to take punitive action regarding the violation.
 - Owner given notice of the Owner’s opportunity for a due process hearing per Declaration, Covenants for Assessments and Bylaw 4.3.B
4. **Due Process Hearing**
 - If an Owner makes a timely request for a due process hearing, the Board will coordinate the hearing with the Owner and no less than a quorum of the Board.
 - The due process hearing may be conducted in person and/or by video conference, and may be recorded.
 - The Board will communicate its decision to the Owner in writing within a reasonable time after the due process hearing.
5. **Notification of Enforcement**
 - If an Owner does not request a due process hearing, the Board may proceed at its discretion in the Association’s available remedies, including but not limited to applying monetary penalties, recording a lien, denying the Owner, their guests and invitees access to the Common Areas and voting privileges.

| Highgarden and The Woods at Highgarden Fine Schedule | | | |
|---|------------------------------|--|------------------------------|
| Category | Covenant Reference | Fine | Limits |
| Architecture/Structure/Design Guidelines and Materials | Sect 1,3,4,5(a-b,d-f,h),9,10 | \$100 initial fine; increase in increments of \$100 each month after if violation not corrected* | Up to \$10,000 per violation |
| Fencing | Sect 5(c), 7 | \$100 initial fine; increase in increments of \$100 each month after if violation not corrected* | Up to \$10,000 per violation |
| Misc Structures/Sheds, etc. | Sect 12(b-c) | \$100 initial fine; increase in increments of \$100 each month after if violation not corrected* | Up to \$10,000 per violation |
| Nuisance/Noxious offensive activity | Sect 2 | \$50/day | Up to \$10,000 per violation |
| Basketball goals, Trash cans, Playground Equipment, Parking, Storage, Easements, etc. | Sect 5(g), 11 | \$10/day | Up to \$5,000 per violation |
| Signs/Billboards | Sect 12(a) | \$10/day | Up to \$2500 per violation |
| General <ul style="list-style-type: none"> • Livestock • Ornamental Structures • Garage converting/Lot splits • Impeding Drainage/Grading/Excavating • Tanks for fluid/oil • Drilling on lot • Others not listed | Sect 13 | \$25/day \$25/day \$100/day \$50/day \$25/day \$100/day \$10/day | Up to \$5,000 per violation |
| Lawn and Flower Bed Maintenance | | \$25/day | Up to \$5,000 per violation |

*1st month \$100 initial fine, 2nd month \$200 fine, 3rd month \$300 fine, etc.