

**DORADO COUNTRY CLUB ESTATES
HOMEOWNERS ASSOCIATION FOR BLOCK 70
6951 E. CALLE CERCA
TUCSON, AZ 85715**

Nov. 18, 2001

**Attached is a Resolution which was passed by the Board of Directors on
November 7, 2001, regarding the imposition of fines for violations of the
Declaration and Rules adopted by the Board.**

**PLEASE READ THIS CAREFULLY SINCE IT APPLIES TO ALL
HOMEOWNERS IN OUR ASSOCIATION.**

RESOLUTION OF THE BOARD OF DIRECTORS
OF DORADO COUNTRY CLUB ESTATES ASSOCIATION FOR BLOCK 70
REGARDING THE IMPOSITION OF FINES

This resolution is adopted by the Board of Directors ("Board") of DORADO COUNTRY CLUB ESTATES ASSOCIATION FOR BLOCK 70 pursuant to A.R.S. §33-1803 of the Planned Communities Act. As provided for in the Planned Communities Act, the Association, after notice to the Owner and an opportunity for a hearing, is entitled to impose fines for violations of the Declaration and any Rules adopted by the Board. The procedure for imposing fines for violations is set forth below:

1. Demand. Written Notice of the Violation ("Notice") shall be sent to the Owner of the Lot and shall specify:
 - a. the alleged violation;
 - b. if the violation is a continuing one, the action required to be taken and a time period of not less than fifteen (15) days within which the Owner must abate the violation;
 - c. if the violation is not continuing, a statement that any subsequent violation of the same provision of the Declaration or Rules of the Association may result in the imposition of a fine;
 - d. that the Owner is entitled to a hearing before any fine is imposed.
2. Continuing Violations. Each day a violation continues after the Board has established that a violation has occurred constitutes a separate violation and shall be subject to a fine.
3. Notice. After the expiration of the time set for performance in the Notice, if the violation has not been cured, or if the same rule or provision of the Declaration and Rules of the Association is subsequently violated by the same Owner, the Board shall send the Owner a Notice of a Hearing which shall contain:
 - a. a description of the alleged violation;
 - b. the time and place of the hearing, which shall be not less than ten (10) days from the date of the notice;
 - c. an invitation to attend the hearing and produce any statement, evidence, and witnesses on the Owner's behalf;
 - d. the proposed sanction to be imposed, which includes the imposition of a fine and the payment of any attorney fees incurred by the Association, in the event that the Association involves its legal counsel in the matter.
4. Hearing. The hearing shall be held in executive session and the Owner shall be afforded a reasonable opportunity to be heard. The Board may reschedule the hearing at the request of the Owner upon a showing of good cause. If the Owner fails to appear at the hearing on the date and time set by the Board, then the Owner will have waived his/her right to attend. Prior to any sanction becoming effective, the Board shall attach a copy of the Notice of Violation and the Notice of Hearing to the minutes of the meeting. The notice requirement is satisfied if the Owner

RESOLUTION OF THE BOARD OF DIRECTORS
OF DORADO COUNTRY CLUB ESTATES ASSOCIATION FOR BLOCK 70
REGARDING THE IMPOSITION OF FINES
Page 2

appears at the meeting. The minutes of the meeting shall, at a minimum, contain a written statement of the results of the hearing and the sanctions if any, imposed.

5. Service of Notice. Any Notice required to be provided under this Resolution shall be sent to the Owner of the Lot at the property address of the Lot within DORADO COUNTRY CLUB ESTATES BLOCK 70 or at any other address provided by the Owner to the Association. Notice shall be deemed given three days after the Association deposits the notice in the U.S. Mail, first class, postage prepaid. In the event the Owner is leasing his/her Lot, the Association may provide a copy of the Notice of Violation to the Owner's tenant.

6. Imposition of Fine and any other Sanctions. At the conclusion of the hearing, the Board may excuse the Owner from the hearing and it shall then determine whether a violation has occurred, whether a fine should be imposed, and the amount of such fine (if imposed). The amount of such fine shall be determined based on the following:
 - a. the seriousness of the violation;
 - b. any mitigating or extenuating circumstances;
 - c. the effect that the violation has on other owners;
 - d. whether this is a first violation or a continuing violation;
 - e. whether the type of violation poses a danger to property or any person;
 - f. whether the Owner agrees to abate the violation within the time specified by the Board; and
 - g. any other factors deemed relevant by the Board.

After the amount of the fine is determined, the Board shall send notice to the Owner of the amount of the fine, any other sanctions imposed by the Board, the due date of any sums imposed against the Owner, and any other action taken by the Board after the hearing. The Board has the power to:

- a. impose a fine for each day that the violation continues;
- b. periodically increase the fine, if the violation is not abated within the time specified by the Board;
- c. impose the fine, suspend its imposition and allow the Owner to cure the violation within a time specified by the Board;
- d. as an additional sanction, require the Owner to reimburse the Association for any attorney fees incurred by the Association which relate to the violation and/or the hearing.

Order: XRYDMBLFH

RESOLUTION OF THE BOARD OF DIRECTORS
OF DORADO COUNTRY CLUB ESTATES ASSOCIATION FOR BLOCK 70
REGARDING THE IMPOSITION OF FINES
Page 3

7. Payment of the Fine and/or Penalties. Any fine that is not paid within fifteen days of its due date is delinquent and is subject to a late payment penalty of 10% of the amount due or \$15.00, whichever is greater.
8. Collection. Collection of any fines and penalties may be enforced against any Owner in the same manner as the collection of delinquent assessments.
9. Effective Date. The effective date of this resolution is Dec 1, 2001
DATED this 1st day of November, 2001.

DORADO COUNTRY CLUB ESTATES ASSOCIATION FOR BLOCK 70

By Peggy Donnell
President

Attest:

Rumbak
Secretary