

WILLOW SPRINGS OWNERS ASSOCIATION, INC.
BOARD RESOLUTION ESTABLISHING A FINING POLICY

WHEREAS the Willow Springs Owners Association, Inc. ("Association") is a private, not-for-profit corporation whose members (the "Members") are owners of Lots as defined in, and subject to, the Declaration of Covenants, Conditions, Restrictions and Easements for Willow Springs, recorded at Book 4349, Page 1690, *et. seq.*, in the public records of Clay County, Florida ("Declaration").

WHEREAS the Association's Bylaws grant the Board the authority to establish rules and regulations for establishing a fining policy under Article 16.

WHEREAS the Association's Declaration grants the Board of the Association the authority to impose fines under Article 10, §10.1.1, *et. seq.*

WHEREAS the Association has the authority under Florida Statute 720.305 (2023) to levy reasonable fines for violations of the Governing Documents.

NOW THEREFORE, the Board of Directors of the Association believes that it is in the best interest of the Association to adopt the following resolution:

1. Applicability. This Board Resolution Establishing a Fining Policy ("Resolution") shall govern the levying of fines by the Board for violations of the Declaration, any applicable amendments to the Declaration, any published guidelines from the Declarant or the Association, any Resolutions of the Board for the Association, the Articles of the Association, the Bylaws of the Association, and any other rule or regulation promulgated by the Board for the Association (collectively, "Governing Documents").
2. Responsibility. The Owner is responsible and liable for the violations of the Owner, all tenants of a Lot, and all other occupants of the Lot, and as such, the Owner may be fined for violations by any of the same and shall be responsible for payment of any fines levied as a result of a violation of any of the same.
3. Liability. Fines must be paid within five (5) days of imposition by the Rules Enforcement Committee. Failure to pay within five (5) days of imposition will result in collections of the fine up to and including lien foreclosure.
4. Security. Any fine imposed will be secured by a lien encumbering the Lot owned by the offending owner. Collections of the fine will be enforced in the same manner as a failure to pay regular and special assessments. The Association will follow the procedure outlined in Article 6 of the Declaration as soon as the fine becomes \$1,000.00 and remains unpaid after five (5) days.

5. Assessment Procedure.

- a. Notice. The Association shall warn the Owner of an alleged violation of the Governing Documents in writing ("Courtesy Notice"). The Courtesy Notice will be sent via U.S. Mail unless the Owner has consented to receive electronic communication from the Association. The Courtesy Notice will provide the Owner with thirty (30) days from the date of the letter to correct the alleged violation. If after the thirty (30) days have passed, the alleged violation persists, the Association will send a subsequent notice to the Owner demanding immediate compliance ("Final Demand").
- b. Board Action. If the Owner does not adhere to the Courtesy Notice and Final Demand, the Board will impose a fine at a duly constituted meeting of the Board.
- c. Fine Amount. Each continuing day of an alleged violation will constitute a new violation. The Board will impose a fine of *up to* \$100.00 per violation for a maximum of \$1,000.00.
- d. Rules Enforcement Committee. As soon as the Board imposes the fine, the Owner will be mailed a letter providing at least fourteen (14) days' notice of a hearing with the Rules Enforcement Committee ("REC Notice"). The REC Notice will inform the Owner that a fine has been levied subject to approval or rejection at the committee hearing, the date, time, and location of the hearing, and the specific reference to the violation with the corrective action that is required. The committee will either approve or reject the fine after the Owner has had an opportunity to speak and present evidence.
- e. Committee Appointment. The Board will appoint a committee of at least three (3) Owners who are not Board members or spouses of Board members to serve on the committee. The members will be appointed by the Board and serve at the pleasure of a majority of the Board. These committee members may be added, removed, replaced, or left at any time and for any reason or no reason.
- f. Referral to Legal Counsel. If a fine and/or violation remains outstanding for more than five (5) days after the acceptance of a fine by the Rules Enforcement Committee, the Association's legal counsel will be directed to take all necessary action against the Owner.

This Resolution shall be effective on the date approved by the Board of Directors for the Association. It shall supersede any and all prior resolutions governing this issue. The number of Board members who voted in favor of this Resolution is 4. The number of Board members who voted against this Resolution is 1. The vote of each Board member is reflected in the minutes of the meeting at which this Resolution was adopted.

WILLOW SPRINGS OWNERS
ASSOCIATION, INC., a Florida
not-for-profit corporation

By: *Curtis Akim*
Curtis Akim, President

Bruce R Williams
Witness 1 Printed Name

Bruce R Williams
Witness 1 Signature

Danielle Boston
Witness 2 Printed Name

Danielle Boston
Witness 2 Signature

Date: January 22, 2024

Sworn to and subscribed before me by means of physical presence or online notarization,
this 22 day of January, 2024. Such person did take an oath and: (Notary must check applicable
box).

- is/are personally known to me.
- produced a current driver's license as identification.
- produced _____ as identification.

{Notary Seal must be affixed}



Adria Kennedy
SIGNATURE OF NOTARY

Name of Notary (Typed, Printed or Stamped)