

RESOLUTION

HAVEN AT THE WILDERNESS CONDOMINIUM ASSOCIATION

COVENANT AND RULES ENFORCEMENT

WHEREAS, Articles 3.6 and 5.2 of the Amended and Restated Declaration of Condominium for Haven at the Wilderness grants the Association authority to adopt reasonable rules, regulations, restrictions and guidelines and to provide means to enforce such rules, regulations and guidelines, including the establishment and collection of monetary fines and other enforcement charges for violations of the Declaration and such rules, regulations and guidelines; and

WHEREAS, for the benefit and protection of the Association and individual Members, the Board of Directors deem it desirable to establish an operative procedure to assure due process in cases where there is a question of compliance with The Declaration and the Association's Rules and Regulations by an Owner, his or her family and his guests or tenants, thereby attempting to minimize the necessity of seeking action in or through a court of law; and

WHEREAS, it is the intent of the Board of Directors to establish these procedures when they must take action to enforce compliance within the provisions of the Declaration or the Association's Rules and Regulations.

NOW, THEREFORE BE IT RESOLVED, that this Resolution shall be adopted to establish the following procedures for enforcement of the Association's Covenants, Rules and Regulations.

I. Complaint Procedure.

- a. Unless the Board is notified of covenants or rules infractions by unit owners that witness them, the covenants and rules cannot be enforced. While the Board does not serve as a police department or referee between disputing unit owners, each resident's cooperation and participation is required.
- b. Written Warnings and Violation Notices shall be issued by the Property Manager, or other persons authorized by the Board to do so, to the party allegedly committing the violation or allowing his family members, tenants, guests, invitees or pets to commit a violation when one of the following occurs:
 1. The Association receives a Witness Violation Complaint. A Complaint form is attached as Exhibit A to this Resolution or may be obtained from the Manager, or

2. Should a witness be unwilling to come forward and execute a Witness Violation Complaint for whatever reason, the witness should contact the Manager and/or a Board Member at the time of the incident, or
3. The Association receives a letter of complaint which includes: 1) the name, address and phone number of the complaining witness, 2) the owner's name and/or address where the alleged violating person resides, and 3) the specific details or description of the violation including date, time, and location where it was alleged to have occurred, or
4. A Board Member or the Manager issues a witness statement based on his or her own observations.

II. Written Warnings.

Written Warnings for the first offense of a particular rule will be sent by first class mail to the owner of record. The warning will include specifics of the alleged violation as well as steps that must be taken to rectify the situation and the consequences for subsequent violation of the rule. Owners may request a hearing to protest the Written Warning by giving a Board Member or the Manager written notice within 10 business days after receipt of the Written Warning. A sample written warning is attached as Exhibit B.

III. Notice of Violation (N.O.V.)

If subsequent violation complaints are received in regard to the same rule within one year of a previous complaint or if the steps outlined in the written warning to rectify the situation have not been taken, a Notice of Violation (N.O.V.) will be sent by first class mail and by certified mail (or by another method of delivery such as FedEx which provides a receipt of delivery) to the owner of record. The notice will include the specifics of the alleged violation along with the amount of fine to be imposed by default unless a hearing is requested within 10 business days after receipt of the Notice of Violation. Requests for hearings must be made in writing and delivered to the Property Manager or Board President. A sample Notice of Violation is attached as Exhibit C.

IV. Hearings.

Provided the N.O.V. recipient has properly requested a hearing, that person will be given a written notice informing him or her of a time and place where the Board of Directors will conduct a hearing to review the complaint. At that time, the N.O.V. recipient will have the opportunity to respond to the complaint. All hearings will proceed with or without the presence of the accused owner. Any person signing a Witness Violation Complaint must be present or the complaint will be dismissed and cannot be brought again for the same violation at the same time and place. The decision of the Board shall be rendered in writing within five days after the hearing and such decision shall be binding upon all parties.

V. Penalties/Fines.

1. Violations

- a. 1st offense - warning
- b. 2nd offense - \$100 fine
- c. 3rd offense - \$250 fine
- d. Subsequent offenses - \$100 weekly cash fine until the problem is rectified in the sole discretion of the Association Board.

2. Costs

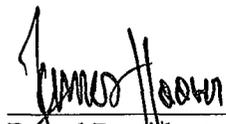
Any and all costs and attorney's fees shall be assessed back to the account of the offending owner.

VI. Additional Enforcement Remedies

In the event of any violation of the Rules and Regulations, Declaration or By-Laws of the Association, the Board of Directors reserves the right to pursue any and all legal remedies to compel enforcement outlined in Article 5.2 of the Declaration including (1) filing a lawsuit, and (2) entering the portion of the Condominium project pursuant to Article 5.1 to the appropriate corrective measures.

This resolution shall be effective thirty days after its adoption.

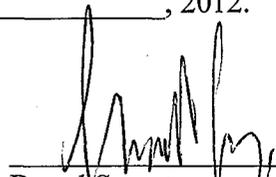
Adopted this 24th day of JULY, 2012.



Board President

James Hoover

(Printed name)



Board Secretary

CHARLES FERTIG

(Printed name)

VIOLATION COMPLAINT

HAVEN AT THE WILDERNESS CONDOMINIUM ASSOCIATION

Haven at the Wilderness Condominium Association enjoys a premiere reputation as a luxury residential community. This is possible if all residents and guests practice the Golden Rule in daily interaction with neighbors. If there are violations of the Association's covenants and rules contained in the Declaration for Haven at the Wilderness Condominium Association, the Board of Directors cannot enforce the covenants and rules unless they are notified of infractions.

If you want the board to investigate a violation, please provide the following information and return this form to a Board Member or the Association's Property Manager.

Date of Incident: _____

Location of Incident: _____

Describe what you saw: _____

Identify the Declaration provision, Rule or Covenant you believe that regulates this activity _____

Signature

Date

(Printed name)

Address

EXHIBIT A

January 27, 2012

Mr. Homeowner
3000 South Pine Street
Overland Park, KS 66085

Re: Haven at the Wilderness Condominium Association
Rules and Covenants Violation Warning

Dear Mr. Owner:

The Board of Directors of your Condominium Association asked me to remind you about the association's rules and covenants.

Haven at the Wilderness Condominium has a premiere reputation as a luxury residential community. In part, this is possible only if all residents respect the association's covenants and rules which are part of the deed to your home. A matter has come to my attention that requires me to notify you of a rules violation. These are the circumstances.

Section ____ of the rules state: "Pets must be leashed or carried while on common elements of the property."

On January 2, 2012, your dog was seen on the front lawn without a leash where he relieved himself. Unfortunately, our staff was required to clean up pet waste.

The purpose of this letter is to remind you that the Board of Directors has authority to fine home owners for violations of rules. In addition, they have authority to permanently remove animals from the subdivision building if violations of rules persist.

Therefore, would you ensure that your pet is on a leash anytime he is outside your unit. Thank you for your compliance with our rules.

You may request a hearing with the Board of Directors to protest this warning by notifying me or a Board Member in writing within ten business days.

Sincerely,

EXHIBIT B

February 15, 2012

Mr. Homeowner
3000 South Pine Street
Overland Park, KS 66085

Re: Haven at the Wilderness Condominium Association

NOTICE OF VIOLATION

Dear Mr. Owner:

On January 27, 2012, I wrote to you about a violation of the covenants and rules of Haven at the Wilderness Condominium Association. A matter has come to my attention that requires me to send you this Notice of Violation. These are the circumstances:

On February 14, 2012 your dog was seen again without a leash in the common area.

This violates Section ___ of Haven at the Wilderness's covenants and rules which require all pets to be leashed or carried while on common elements of the property.

Violation of this rule carries a \$100 fine which has been added to your current balance to the Association. Please remit payment no later than 15 days after this letter. I would ask for your particular attention to controlling your pet in the future.

If you have any questions about this notice, please call me at 777-7777.

If you would like to appeal this notice, please do so in writing to me at the address listed above within 10 business days. All appeals will be heard by the board within ___ days. You will be given written notice of the hearing.

Sincerely,

EXHIBIT C