

Haywood Knolls Covenants and Restrictions Enforcement Guidelines

Pursuant to Article Nine of the Haywood Knolls Subdivision Covenants and Restrictions as executed on September 1, 2009 and Article III, Section 5 of the By Laws of the Haywood Knolls Association, Inc. as amended June 21, 2011, the Board of Directors of the Association has the power and the authority to enforce said Covenants and Restrictions in order to maintain and improve neighborhood property value. The Board and Covenants Committee will follow these guidelines in all enforcement matters.

- I. (Level One) Possible Infraction is identified.
- II. (Level Two) The Covenants Committee Chair is notified.
- III. (Level Two) The Covenants Committee Chair notifies the Committee Members.
- IV. (Level Two) Committee Members gather history of the case, if any, reviews case, and observe the property (if necessary).
- V. (Level Three) Chair presents case to the Board, makes recommendations for the committee and requests a vote on further action. IF vote is YES, see VI. If vote is NO, see item IX.
- VI. (Level Four) If it is agreed, by the majority of the Board by minuted vote, that a property owner under the Haywood Knolls Covenants and Restrictions is in violation of one or more of these covenants and restrictions, a personal visit or telephone call will be made by a member of the Board or the Committee, to the property owner to indicate that there is a violation(s) and to try to ascertain when the violation(s) might be corrected. A certified letter to the property owner, drafted by the Chair and signed by the President of the Association, will follow the visit or telephone call summarizing the visit or conversation, including a copy of the Haywood Knolls Covenants and Restrictions.
- VII. (Level Five) After thirty (30) days from the date of the initial letter, if the violation has not been resolved, and if it is agreed, by the majority of the Board by minuted vote, a second letter to the property owner, signed by the President of the Association, will be sent certified mail, indicating The Board's awareness that the violation has not been corrected. The property owner is invited to attend a board meeting. A copy of the initial letter will be included.
- VIII. (Level Six) After sixty (60) days from the date of the initial letter, if the violation has not been resolved, a third certified letter, shall be sent from an attorney, indicating The Board's awareness that the violation has not been corrected, indicating the potential means for escalated enforcement. A copy of the previously sent letters will be included.

- IX. (Level Three) If it is agreed, by the majority of the Board by minuted vote, that a property owner under the Haywood Knolls Covenants and Restrictions is NOT in violation. A written letter, signed by the President of the Association, shall be sent to the property owner summarizing the complaint of a potential violation, and indicating the Board's decision and reasons not to pursue enforcement.
- X. (Level Three) The Board can decide to issue a variance in special cases where topography, the property, or other circumstances do not allow for full compliance with the Covenants and Restrictions The Haywood Knolls Association, Inc. may record notice of same in the office of the Clerk of Court of Henderson County.
- XI. (Level Seven) The Board can decide to take further action by instituting proceedings, at law or in equity. The Haywood Knolls Association, Inc. may record notice of same in the office of the Clerk of Court of Henderson County.

Adopted by the board my majority vote on this day:

_____ the _____, 2012.

The President of the Board: _____

Print name: _____ Date: _____

Witnessed: _____

Print name: _____ Date: _____