

Thunder Ridge Property Owners Association

FINE RESOLUTION

This resolution is made this on the date set forth below by the Board of Directors for Thunder Ridge Airpark Property Owners Association, a Utah nonprofit corporation.

RECITALS

A. Certain real property located in Duchesne County known as Thunder Ridge Airpark, was subjected to certain covenants, conditions, and restrictions pursuant to a Declaration (the "Declaration");

B. Pursuant to Utah Code Ann. § 57-8a-208, the Association is authorized to levy fines as a means of enforcing the provisions of the Declaration, rules and regulations, design guidelines, and Bylaws of the Association;

C. The Board of Directors desires to set forth a schedule of fines, procedures for fining, and procedures for hearings to ensure that the fining process complies with Utah law and is fair to all parties involved;

D. This Resolution was properly adopted by the necessary vote of the Board of Directors in compliance with the provisions of the Bylaws.

NOW BE IT RESOLVED:

1. That the following schedule of fines be adopted:

a. List of Violations: Any violation of the Declaration, design guidelines, rules and regulations, and Bylaws shall be subject to a fine.

b. Schedule of Fines:

Description	CCR Section	Fine
Affirmative violation of the Declaration, Bylaws and Rules and Regulations of the Association		\$100 per occurrence
Continuing violations of the Declaration, Bylaws and Rules and Regulations		\$25 per day
Unauthorized use of a Lot as a right-of-way, street, or road	4.1	\$100 monthly
More than one family occupying a Lot as a principal residence	4.1	\$200 monthly
Unapproved Permanent and Temporary Structures	4.1, 5.8	\$200 monthly
Exterior construction, alteration, fencing, painting or modification to any lot or residence without prior Board approval.	4.1, 4.5	\$100 monthly
Accessory Buildings or Hangar Exteriors construction started more than one year prior to the exterior completion of the dwelling	4.1	\$100 monthly
Renting of Accessory Buildings or Hangars except as part of the dwelling	4.1	\$200 monthly
Occupancy of a hangar as a primary residence unless specifically approved as a "Hangar Home"	4.1	\$200 monthly
Use of a lot other than residential or recreational purposes	4.1	\$200 monthly

Greater than one year from construction start to exterior completion of a dwelling, accessory building, or hangar.	4.1	\$100 monthly
Unauthorized Commercial Bussiness Operations on a Lot	4.3	\$200 monthly
Unauthorized Construction or Location of a dwelling, accessory building, or hangar	4.5, 4.7, 4.15	\$200 monthly
Unauthorized mobile, manufactured homes, or structures with the same appearance on a Lot	4.9	\$200 monthly
Unauthorized buildings, or buildings of a temporary nature on a Lot for more than 21 out of 30 consecutive days	4.9	\$200 monthly
Temporary structures exceeding the earlier of 15 days of dwelling completion, or 12.5 months from start of construction of the dwelling.	4.9	\$200 monthly
Installation of any fill material, driveway or road from a deeded HOA road without a culvert	4.10	\$200 monthly
Vehicle accessing a lot prior to installation of a culvert in the HOA road ditch	4.10	\$25 per occurrence
Unauthorized alteration of a drainage pattern on a Lot or HOA road ditch	4.11	\$500 per occurrence
Construction of a Structure exceeding 12 months from start of construction to exterior completion	4.12	\$100 monthly
More than a 90 day abandonment of exterior construction	4.12	\$100 monthly
Exceeding the timeline for start of reconstruction or Lot restoration	4.13	\$100 monthly
Construction traffic associated with a Lot or an owners common area Hangar in the tie down or runway areas	4.14	\$100 per occurrence
Exceeding 12 months for exterior completion of the dwelling starting with the issuance of the building permit for any structure	4.15	\$100 monthly
Failure to adequately operate or maintain the property in a nuisance free, clean, safe, sanitary, contaminant free, and sightly condition. (Note: this provision includes failure to paint the exterior of the home and allowing it to deteriorate to the extent it becomes unsightly, failure to abate any nuisances(s) or unsafe condition(s) resulting from incomplete or inadequate construction, or the appearance from the frontage road of any unsightly structures)	5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, 5.14, 5.16, 5.19, 5.22	\$100/mo/Condition
Garbage, trash or other waste not in proper container	5.2	\$25 per occurrence
Littering on property and/or in common area	5.2	\$25 per occurrence
Animals unrestrained off-property	5.11	\$25 per occurrence
Unauthorized animals, animal activities, or commercial breeding	5.11	\$200 monthly
Noisy animals including barking dogs, or other disturbing noises interfering with the rights or comforts of other Owners	5.11, 5.12	\$25 per occurrence
Parking an aircraft, vehicle, or trailer more than 21 days in any 30 day period prior to construction of an outbuilding or dwelling	5.15	\$10 daily per vehicle
More than three boats, RVs, campers, trailers, & recreational vehicles parked overnight unless in an outbuilding or garage	5.15	\$10 daily per vehicle
Parking of commercial vehicles overnight, not in an outbuilding or garage, except during construction	5.15	\$10 daily per vehicle
Parking of wrecked or junked vehicles or unregistered vehicles unless in an outbuilding or garage	5.15	\$10 daily per vehicle
Parking any vehicle overnight on the HOA dedicated streets	5.15	\$10 daily per vehicle
The parking of a recreational vehicle and/or any other trailer in a conspicuous location, after completion of the exterior of an outbuilding, hangar, or dwelling (Note: Location should be behind house frontage line, and in such a location as not to be conspicuous from the street)	5.15	\$10 daily per vehicle
Unauthorized fencing	5.17	\$100 monthly
Vehicular access to a Lot from undesignated roads	5.23	\$100 monthly
The parking of more than one aircraft registered to a lot owner or affiliate in the tie-down area	6.3	\$10 daily per aircraft
Other violations of the Declaration, Bylaws or Rules of the Association not set forth above		\$100 Monthly

Enforcement remedies are cumulative; accordingly, the Board of Directors reserves its right to pursue any enforcement action authorized by law or the Declaration, the design guidelines, the Bylaws, or the rules and regulations at any time during the fining process.

2. That all following procedures will be followed prior to levying a fine:

a. Notice of Violation: All owners will be given a written notice of violation describing the violation and stating a time to cure the violation prior to a fine being levied.

b. Time to Cure: All owners will be given a minimum of forty-eight (48) hours to cure a violation before a fine will be levied. The Board in its discretion may grant a cure period exceeding forty-eight (48) hours if the Board determines that forty-eight (48) hours is an unreasonable time period to cure the violation in question.

c. Hearing: If a fine is levied, the offending Owner shall have the right to request an informal hearing with the Board of Directors to protest or dispute the fine. A request for hearing must be made in writing within fourteen (14) days from the date the fine is levied. Notice shall be deemed to have been received three (3) days after mailing via USPS first-class mail, postage prepaid. If a request for hearing is not received by the Board of Directors, or their designated agent, within seventeen (17) days from the date the fine is levied, the fine shall be deemed to be uncontested and the Owner forfeits their right to hearing. A request for hearing shall be delivered to Community Preservation Association, P.O. Box 683331, Park City, UT 84068. The hearing shall be conducted in accordance with the procedures adopted by the Board of Directors.

d. Collection of Fines: Fines shall be collected as authorized by the Declaration and law. However, interest and late fees shall not accrue on fines until after the time for hearing has passed, or, if a hearing is conducted, after a final decision has been rendered.

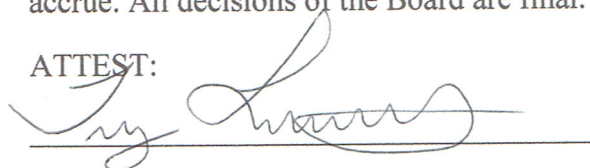
3. That the following procedures shall govern an informal hearing of the Board of Directors:

a. Scheduling a Hearing/Continuances/Failure to Appear: To request a hearing, an Owner must submit a written request to the Board within the timeframe identified above. The hearing shall, within reason, be conducted at the first Board meeting after the receipt of the request. The Board shall give notice of the date, time, and location of the hearing to the requesting Owner. Notice of the hearing shall be delivered to the requesting Owner and, if necessary, to the complaining Owner by electronic means, USPS first-class mail, postage prepaid, or by hand delivery. No other Owners or parties shall be entitled to notice of the hearing. If the hearing date is unacceptable to the requesting Owner, they may request one continuance of the hearing date. To request a continuance, the requesting Owner shall deliver a written request for continuance to the Association. The request must be received by the Association at least five calendar days prior to the original hearing date. The request must contain a valid cause for continuance. The Board has sole authority to determine what constitutes valid cause. If the board continues the hearing, the continued hearing shall, within reason, take place at the second Board meeting after the receipt of the original request for hearing. Failure by a requesting Owner to appear at a hearing or continued hearing shall result in a waiver of the requesting Owner's right to hearing and the enforcement action shall be deemed uncontested.

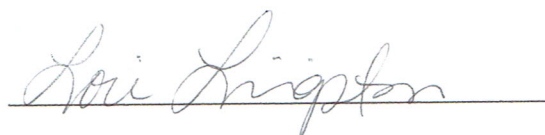
b. Hearing Procedures/Decision: The hearing shall be conducted by one to three Board members or hearing officers appointed by the Board. The requesting Owner shall be given 15 minutes to

dispute the issue for which the hearing was requested. The requesting Owner may present documentation or witnesses to dispute the issue. The Board or hearing officers may question the requesting Owner or witnesses during the hearing. If the request for hearing is based on the complaint of neighboring Owners, the Board or hearing officers shall interview or review written statements from the neighboring Owners during the hearing. After hearing the requesting Owner's position and evidence, the Board or hearing officers may either render its decision at the hearing or take the evidence and argument under advisement. If the Board takes the evidence under advisement, they shall render a final decision by the next scheduled regular Board meeting. If the hearing is conducted by a hearing officer or hearing officers, the officer shall take the evidence under advisement, then shall report their findings to the Board, who shall render a final decision at the next scheduled regular Board meeting. If any member of the Board is present at the hearing, the member or members present may make a final determination at the hearing or may take the matter under advisement. Once a decision is rendered, the Board shall give written notice of their decision to the requesting Owner. As part of the decision, the Board shall state that payment of the fine is due within fourteen (14) days or interest and late fees will accrue. All decisions of the Board are final.

ATTEST:



President



Secretary

Effective Date: June 26, 2016