

Yoakum Run Homeowners Association

Annual Meeting of Members

July 18, 2009

Resolution 2009-07-18:

Because the Yoakum Run Homeowners Association *Articles of Incorporation (Section III)* and the *Bylaws (Article 5)* grant the Board of Directors the power to conduct Association business and, to protect and support the welfare and betterment of the properties governed by the Association, and to protect property values and community harmony by providing guidelines and a procedure to address conditions that negatively affect property values and disrupt community harmony,

and because *the West Virginia Code, Chapter 36B - Uniform Common Interest Ownership Act, Article 3 - Management of the Common Interest Community* grants the Homeowners Association the power to adopt and amend rules and regulations and to levy reasonable fines for violations of the declaration, bylaws, rules, and regulations of the association,

The Board of Directors feels it is necessary and appropriate to adopt, implement, and enforce new Rules and Regulations that govern the following (see attachments):

1. Rules and Regulations - Policy #1: Protective Covenants and Restrictions - Rules Enforcement Policy
2. Rules and Regulations - Policy #2: Protective Covenants and Restrictions - Satellite Dish Placement Policy
3. Rules and Regulations - Policy #3: Exterior Appearance Policy
4. Rules and Regulations - Policy #4: Protective Covenants and Restrictions - Open Fire Policy

Some property owners have ignored the *Protective Covenants and Restrictions* and/or the long established guidelines requiring pre-approval from the Architecture Review Committee (ARC) for actions affecting the exterior appearance of their properties. The current process of having the Board and/or the ARC work with the property owners to remedy violations in a timely manner is not working successfully, and it requires many hours of time by members of the Board with no assurance of a timely resolution.

IT IS HEREBY RESOLVED, that the Association shall adopt new Rules and Regulations that include levying penalties for non-compliance; implementing the policies immediately; ability to amend the policies as needed; and enforcing the policies with a Schedule of Fines for Violations and additionally, with all legal rights afforded under West Virginia law.

Resolution PASSED by a vote of 18-0 of the general membership at the Annual Meeting on July 18, 2009.