

PORTOFINO SHORES PROPERTY OWNERS ASSOCIATION, INC.

RESOLUTION FOR DEED RESTRICTION ENFORCEMENT

WHEREAS, the Board of Directors of the Portofino Shores Property Owners Association, Inc. (the "Association") is charged, under the terms of the instruments governing all properties within the Portofino Shores Subdivision, with the responsibility of enforcing, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereinafter imposed by the provisions of the Declarations of Covenants, Conditions, and Restrictions governing the community (the "Declarations"); and

WHEREAS, from time to time homeowners violate the restrictions set forth within the Declarations and fail to respond to the demands from the board and/or property manager agent to place their properties in compliance with the restrictions imposed by the Declarations; and

WHEREAS, the Board deems it to be in the best interest of the Association to adopt an updated uniform and systematic procedure for dealing with the deed restriction violations in a timely manner, so as to ensure restriction compliance by homeowners in an effort to preserve and maintain real estate values throughout the community; and

WHEREAS there is a need for an updated policy to be established concerning the procedures to follow in enforcing deed restriction violations for Portofino Shores Property Owners Association, Inc.

NOW THEREFORE BE IT RESOLVED THAT THE FOLLOWING PROCEDURES BE ADOPTED:

In the instance of lawn maintenance and other exterior violations, the Board of Directors, or its designated agent, will direct a **Courtesy Letter** to be sent to the lot owner and/or resident. The lot owner and/or resident will have ten (10) days from receipt of the letter to cease the violation, correct the violation, or contact the Board, or its designated agent, with his or her specific plans to effect compliance. Following the 10th day from receipt of the letter, an inspection of the property will be conducted. If the property is still not in compliance, the Association will retain the services of a private contractor, as so provided in the Declaration, to perform the necessary services. The costs associated with such work will be charged directly to the lot owner's assessment account.

BE IT FURTHER RESOLVED that this Resolution is to be immediately implemented upon all properties.

BE IT FURTHER RESOLVED that Any property that has two violations within 90 days or three violations within 12 months will be added to the association lawn care program until an ownership change. The owner may petition the Board, if they wish to be removed from the program, after 6 months on the program, assuming the owner is not past due on assessments with the association. All cost of such work shall be paid by the owner.

BE IT FURTHER RESOLVED that In the event that the property is vacant and/or the association has been notified of foreclosure proceeding on the property. The property will be added to the association lawn care program, after the first violation cut and will continue until an ownership change. The cost of all such work shall be paid by the owner.

The resolution was adopted by the Board of Directors on the _____ day of _____, 2009.

DIRECTOR

DIRECTOR

DIRECTOR

DIRECTOR

DIRECTOR

Portofino Shores

Portofino Shores Property Owners Association, Inc

[Date]

[Owner's Name]

[Mailing Address]

[Mailing City, ST ZIP]

RE: [Property address]

Dear [Owner's Name];

This letter is being written on behalf of the Portofino Shores Property Owners Association. In a continuing effort to maintain community enjoyment and property values, the Board of Directors responsibility is to ensure the Associations Restrictive Covenants, By-Laws and rules are enforced.

As a matter of procedure, we make regular property inspections, during our inspections on [Date] the following was found to be in violation:

[SPECIFY VIOLATION INCLUDING REFERENCE TO OUR DOCUMENTS]

Please correct this matter immediately. A followup inspection will be performed after ten (10) days. If this issue has not been resolved, the association, in accordance with our Restrictive Covenants, will hire an outside contractor to make the required corrections and the cost of such work will be added to your assessment account.

If you have any questions or need further clarification regarding this violation, please feel free to contact the property management office, here at the clubhouse. The office hours are Monday – Friday 9:00 am – 2:00pm.

THANK YOU FOR YOUR PROMPT ATTENTION TO THIS MATTER

Sincerely,

Portofino Shores POA, Inc.

Board of Directors