

The Villages at Lynx Creek

Rules and Regulations

5-17-21

May it hereby be resolved that portion of the following Rules and Regulations are condensed from The Villages at Lynx Creek CC&R's. They are provided as a shortcut to be used to understand the laws governing the Villages. It is advisable to read the complete text of The Villages CC&R's and other Restrictive Documents for a better understanding.

The Villages at Lynx Creek Rules and Regulations

The Lot Owners and Management want all owners, residents and guests to have the most pleasant living environment possible in the Villages at Lynx Creek. To promote that peaceful environment, the following Rules and Regulations have been established. The Declaration of Covenants, Conditions and Restriction (Hereafter CC&R's) and the By-Laws of The Villages at Lynx Creek Owner's Association Inc., (hereinafter By-Laws) these Rules and Regulations (hereinafter Rules and all three collectively as the Restrictive

Documents) contain additional information and should be referred to by Lot Owners. The Board of Directors reserves the right at any time to make necessary changes in the Rules and Regulations which are in the best interest of the residents.

1. **Adult Housing:** Each Lot shall be occupied by at least one person who is fifty-five (55) years of age or older. The Association shall adopt procedures for verification of this requirement and any exceptions thereto and shall make copies of such procedures available upon request. No person under forty-five (45) years of age may occupy a Lot in the community. No guest or relative of an Owner, regardless of age, may spend more than thirty (30) days in The Villages in one calendar year. The Board may, at its option, grant a variance from the requirements of this section provided said variance does not affect the community status as Housing for Older Persons.
2. **Employment:** The Villages preference is to hire best qualified Owners, or tenants but may solicit from the outside.
3. **Common Area Rules:** Rules posted in the Common Areas (all Villages owned buildings courtyards and parking areas) are incorporated as part of these rules and regulations.
4. **Name Badges:** Since Villages badges are the only means of identifying owners and their guests, they must be worn at all times when using any of the facilities. Management may deny use of the facilities to anyone without the proper badge and any resident losing his badge will be responsible for its replacement cost.
5. **RV Lots:** See 3.2 of the CC&R's.
6. **Park Models:** See Article 3.3 of the CC&R's.
7. **Modular Home Lots:** See Article 3.4 of the CC&R's.
8. **Owner & Tenant Registration:** Owners and tenants must register with the Villages Office within 14 days of purchase or lease (Valid ID Required). Owners are ultimately responsible for compliance with this rule. All provisions of the governing Documents and of these Rules and Regulations bind all occupants.
9. **Living Units:** Only one (1) RV, Park Model or M/M may be located on a Lot except for temporary purposes as set forth in Rule 13.
10. **Architectural Control:** No building, improvements, fences, walls, landscaping or other structure may be commenced, erected, installed, altered, or increased in size on a Lot until the Plans and Specifications showing the nature, kind, shape, height, materials, colors and location have been submitted to and approved in writing by the Architectural Committee.
11. **Landscaping and Lot Maintenance:** All structures and/or personal items located on a Lot shall be maintained by the Owner subject to the provisions of the Restrictive Documents as

amended from time to time. As the Villages encourage all Owners to be conservative in water usage, any water leak occurring on Owner property requiring the Association to turn off may result in a fee of \$75.00. ¹

12. Wash or Repair of Vehicles: Until such time as The Villages has made facilities available for these purposes, Owners may wash their vehicles on their Lot. Minor repair of vehicles must be completed within three (3) days.

13. Vehicle Limitations:

Definitions:

A passenger vehicle is defined as an automobile, utility vehicle or pickup truck.

A recreational vehicle is defined as motor home, mini-motor home, travel trailer, or other vehicle designated as a traveling living unit.

Auxiliary vehicles are boats and trailers, vehicle tow trailers, etc.

Quantity:

Quantity of vehicles: See CC&R's Article 3, 3.5.6, Page 9

An additional RV may be temporarily parked on a lot in preparation for leaving or returning from a trip, or for minor repairs, with prior permission from the Association office, for a period of 48 hours. This period may be extended by the office. Permission slips are required and must be visible.

Revised 3/17/11

On Street Parking:

The parking of any type of vehicle on the street directly opposite another vehicle is essentially blocking the street and is prohibited. This rule is to assure the passage of emergency vehicles of all types in all residents' interest. No overnight street parking is permitted for passenger vehicles. No guest RV street parking is allowed at any time.

Common Area Parking:

Vehicles of all types are prohibited from parking on the Common Areas, which includes streets, for an extended period of time, defined as after 10:00 PM when the facilities are locked, overnight and on weekends. Permission may be granted by the Association office or Monitor for a variance for the parking of a RV or passenger vehicle of a visitor to a resident for a period of 48 hours. It shall be prohibited for any person to park and display "for sale" signs on any vehicle in the common area parking. This would also include golf carts.

All vehicles with permission to park on the Common Area or streets for 48 hours must display a permission slip in plain sight. Violators will be reported to the Association office and fines may be imposed. Any fines imposed will be the responsibility of the Lot owner and a lien may be filed if not paid.

14. Storage Area for Recreational Vehicles: Fenced and locked areas for the storage of recreational vehicles (RVs) are located in the southeast end of Phase I. Numbered parking spaces are available to the Villages Lot owners who are the registered owners of an RV. The spaces may be leased on an annual basis provided the following rules are agreed to and are subsequently adhered to by the lessee. These policies and the terms of the rental agreement will be strictly enforced:
- (a) Lot owners who do not live in the Villages but rent out their property are not eligible to use these storage facilities.
 - (b) A qualifying RV is defined as a motor home, travel trailer, pick-up camper, or van conversion which contains permanent cooking and sleeping accommodations, boats, utility trailers, flat bed trailers, golf cart trailers. A car dolly is acceptable if it fits in the space with the designated unit. However, motor homes or travel trailers have priority.
 - (c) Proof of ownership of the above described vehicles must be provided in the form of a legible photocopy of current registration of the vehicle. This document will be retained with the executed lease agreement.
 - (d) The storage lot is not to be used for vehicles other than those defined above. However, if the lessee removes his RV from his assigned space for a period of not to exceed six (6) months, he may park his personal, currently registered automobile in the leased space.
 - (e) No storage is allowed in the RV storage area except the above stated vehicles.
 - (f) If a lessee purchases a different RV, the Association office must be notified in advance that the new RV will be parked in his/her assigned space.

- (g) Any unauthorized vehicle(s) parked overnight in the RV storage area may be towed away and the owner and/or lessee will be held responsible for any and all charges that occur. These spaces are for the sole use of the registered vehicle shown on an applicable lease.
- (h) The Villages Association may, from time to time, reassign spaces to provide for the most efficient use of the storage area. Failure to comply with such requested reassignment may result in the loss of a lot owner's space.
- (i) When a lease is terminated, the involved storage space reverts back to the Villages Association for reassignment to the next person on the waiting list.

15. Rules of Conduct: All Lot owners, their visitors and guests, must conduct themselves properly at all times and in such a manner as to make the use of the Association facilities a pleasure for all. Any inappropriate behavior or unsafe conduct or participation in a physical altercation will result in the offending person(s) being subject to losing their privileges to use the facilities.

Any person observing such behaviors should report the incident and file a report with the Association Office who will refer the matter to the Board for such action as it deems proper.

16. Guests and/or Visitors: A guest is defined as any person who resides with a Lot Owner for an extended period. They must secure a Guest Badge from the Association Office and wear it at all times when using the Association facilities. Guests over 18 years of age are not required to be accompanied by the host resident unless they have not acquired a Guest Badge. Residents may obtain Guest Badges during office hours. All Guests are subject to these rules and the Restrictive Documents, as are their hosts.

Visitors are persons who do not reside overnight and Guest Badges are not required. However, the Lot owner host must accompany them to any Villages function or use of the facilities.

All Guests and Visitors under 18 years of age must be accompanied by the resident Lot Owner while using any of the Association facilities who are responsible for their conduct and safety.

Children are allowed to visit for not more than two (2) consecutive weeks.

Renters and/or lessees are required to follow the same rules as above.

17. Swimming Pool and Spa: The pool hours are from 6:00 AM to 10:00 PM except during pool cleaning and maintenance. Children's swim hours are from 11 :00 AM to 2:00 PM and 6:00 PM to 8:00 PM every day.* All children under 18 years using the pool must be toilet trained, and swim pants are allowed for use in the pool. All children must be accompanied by an adult resident. It is recommended that no child under 12 years should use the spa for health reasons and the adult resident assumes responsibility if they do so.

All persons must shower before entering the pool or spa and/or after using any tanning oils or lotions. No soap, shampoo or bubble bath is allowed in the pool or spa.

Smoking is not permitted in the pool or surrounding area nor may alcoholic beverages be consumed in the pool or spa.

Violators of any of these rules will be asked to leave the facilities.

18. Mail Service: Lot owners may acquire a mailbox key from the Post Office in Dewey. Lessees and renters will need to receive a key from their landlord. Mail is delivered to the mail box complex outside the Recreation Building. The proper mailing address is:

John Smith
12200 East SR 69 Lot #_____
Dewey, AZ 86327

19. Pets: Except for any animal deemed to be dangerous either by previous actions or history, Lot Owners may keep pets on their lots provided the owner adheres strictly to the following rules for the protection of the animals and other residents. It is our intention to maintain a safe, clean and pleasant place for all Village residents. We want to permit pets for our residents provided all the rules are followed to assure that the other residents' lifestyles are not infringed upon.

*Updated at BOD meeting 6/19/14

1. The maximum number of pets allowed is two (2). Also see Article 3.5.7 of the CC&R's.
 2. All pets must be on a leash at all times and may not run free within the Villages or be left unattended.
 3. Pet owners are responsible for cleaning up their pet's feces and under no circumstances may it be left on the ground in any common area or on any owner's lots. Nor is it permitted to accumulate on the pet owner's lot. Proper disposal consists of wrapping and depositing feces in the garbage compactor. Violators of this rule shall be warned on the first offense and subject to fines for any subsequent ones.
 4. Pets are not allowed in any common buildings or the patio/pool area with the exception of Seeing Eye or service dogs.
 5. Excessive barking of dogs will not be tolerated (CC&R's 3.5.7).
20. Traffic: The speed limit throughout The Villages is 10 mph. This is to be observed at all times. Pedestrians, bicycles and golf carts have the right of way over automobiles. Keep all vehicles on roadways.

21. Bicycles: All bicycles in the common area must be parked only in those spaces provided. Riders must obey all Villages speed regulations and stop signs.
22. Motorcycles/Mopeds and Golf Carts (collectively "Carts"): All carts must obey the speed limit. Hand signals are required for indicating turns and stopping. All Cart operators must be 16 year of age or older or be accompanied by a licensed adult resident who shall be responsible for their actions.
23. Unlicensed or Off Road Vehicles: With the exception of golf carts or Villages owned maintenance vehicles, unlicensed or off-road vehicles are not permitted to operate on Village's streets.
24. Garbage service: A trash compactor is located at the northeast corner of the Recreation Hall as is a bin for recycling or aluminum cans, newspapers and magazines. Please flatten all cartons and boxes. Contractors working in the community are not permitted to utilize this facility to dispose of construction materials.

Violators should be reported to the Association office.

25. Laundry Facilities: Coin operated washers and dryers are provided at the southeast corner of the Association Building. These are for the use of Villages resident only. Change is available in the Association office.
26. Signs: No real estate signs such as "For Sale" or "For Rent" are permitted or other signs advertising vehicles or other goods for sale unless they comply with the requirements of the "Villages Sign Ordinance", which are available in the Association office.
27. Newspapers: These are available from coin operated machines near the entrance to the patio/pool area. Delivery is available to your lot by contacting the paper of your choice.
28. Villages Activities: A newsletter, The Village Crier, is available on the first of each month in the Association office. This lists all planned recreation and social activities for the coming month. Notices of events are also posted in the bulletin board and on a board near the mail drop. All activity scheduling is through the Association office.
29. Use of Facilities: All Village Lot Owners have equal rights to use the Villages facilities. However, when groups of owners with a common interest may require established times to pursue their activities, reservations can be made at the Association office. However, the reservation granted is the establishment of a priority for such use and is not an exclusive use of the particular facility. If all of the facility is not required for the reserved usage for example, all of the pool or card tables, other residents have the right to use the available portion of the facilities provided they do not interfere with the reserved use. Similarly, a single sex group with reservations for a facility may not prohibit residents of the other sex from using any unutilized facilities.

30. Social Hall Events: All Villages residents have equal rights to attend and participate in any events in the Social Hall. To assure these rights, other residents may not attempt to reserve a particular table or seating arrangement in advance of the activity.
However, in the interest of allowing persons coming from other sections of the Villages to sit together with their friends, it will be permissible for at least two (2) persons to occupy and reserve an entire table commencing not earlier than one hour before the scheduled commencement of the event, or for later than 15 minutes before the scheduled start. At that time, it becomes open seating. Please comply with this rule to save yourselves and other residents any embarrassment.
31. Smoking: The Villages is a non-smoking facility. Smoking is not permitted in any buildings or in the patio/pool area. Smoking is permitted outside the buildings in the parking lot. Please use the proper receptacle for disposal of your butts.
32. No Food or Drinks: No food or drink (with the exception of water) is allowed in the Billiard Room.
33. Owner Responsibility: The Villages Owner's Association is not responsible for any on-site home and/or stored recreation vehicle, or for accidents nor injury or loss of valuables in and/or around the home sites or facilities.
34. Quiet time- Weekdays: 10:00 P.M. to 6:00 AM
Weekends: 10:00 PM - 8:00 AM
35. No non-employee shall have access to the association computers without an association employee present.

NOTE: Portions of these Rules and Regulations have been condensed from the Villages at Lynx Creek CC&R's and other of the Restrictive Documents. If there is any conflict between these Rules and Regulations and the Restrictive Documents, the Restrictive Documents will prevail. It is advisable to read the complete text of those documents to assure a complete understanding.

THE VILLAGES AT LYNX CREEK RECREATION COMMITTEE RULES

Revised May 28, 2021

It is the philosophy of The Villages at Lynx Creek to promote and support group activities for the residents. In order to ensure that all clubs and activities are treated equitably and that all owner members of these clubs and organizations are treated fairly. Recreation Committee officers establish these Rules. To better understand the terminology used, the following definitions are provided:

RECREATION COMMITTEE:

Consists of all owners of property in the Villages at Lynx Creek who wish to attend the monthly meetings and assist in scheduling of programs and activities. Persons renting property may attend meetings, can vote but cannot hold office. The Recreation Committee is responsible to disburse minimal cash funds as deemed necessary for activities, maintain accounting of the fund generated by the various activities and approve requests to start new clubs or activities.

This Group will accept nominations for officers at the September Recreation Committee meeting and will elect the following officers at the October Recreation Committee meeting: Chairman, Vice Chairman, Secretary, Treasurer and Officer at Large to oversee the Clubs and Activities as defined below. In addition, the elected officers may meet to make decisions regarding expenditures when time is of the essence to render such a decision. In the event there is a vacancy in the officers, the remaining officers may appoint a replacement.

Note: All clubs, activities or scheduled events must be presented and approved by the Recreation Committee who will then schedule those events. The Office staff will be informed and record the events on the official activity calendar. (Exception: Use of the Social Hall and other facilities, for Owner-Sponsored or Private-Personal Events, will be presented to the Office Manager. Upon approval by Management and/or the HOA Board of Directors, the Office staff will schedule the event per The Villages at Lynx Creek policies & Procedures Manual.)

'RESIDENT'

Includes property owners and renters unless otherwise noted.

'ACTIVITY'

A group of residents from the Villages, who meet to perform a certain function, but do not have written rules or officers and have minimal cash needs.

'CLUB'

A group of residents, from the Villages, which forms for a common purpose, has meetings and/or events, generates funds by charging dues or by selling their products and/or services and has written rules and officers. A Club will be responsible to establish their own bank account, manage their own funds and tax reporting.

'CLUB/ACTIVITY MEMBERSHIP'

If a Resident (s) chooses to form a new Club or Activity Group, they are required to make this request at a Recreation Committee meeting for approval. A copy of the Recreation Committee Rules and Crier Guidelines will be given to the Residents at that time.

- a) Membership is open to The Villages residents ONLY.
- b) All clubs will give The Villages office a list of officers and their contact numbers.
- c) All activities will be approved by the Recreation Committee and given to The Villages office with contact name and phone number

- d) Clubs will ensure there is some training or education made available for those wanting to join the activities so all feel welcome.
- e) Clubs will ensure that the overall goal of any club activity is for the enjoyment and fun of all who participate.

‘CLUB OR ACTIVITY GROUP GUEST’

Each household may invite two non-residents as their guest to participate in club/activity group activities only. This is strictly at the discretion of each club/activity group. The Villages age restrictions apply. (Exceptions may apply). Guests may not hold office but will have voting privileges as it pertains to the club activities. Guests are restricted to the specific club/activity group activity and its location. Clubs/activity groups are responsible for their Guests. Guests will not be issued gate keys nor will they be loaned (**no exceptions**). Posters, etc. placed outside of the Villages, soliciting guests for Villages clubs/activity groups, are not permitted (Exceptions may apply with approval of the HOA Board.) The person who invites guests must be in attendance.

Bingo is not considered to be a club or activity group, therefore is excluded from these specific rules.

‘EVENTS’

Events are defined as dinners, dances and/or any other paid activity.

Residents may invite guests to attend these events on a limited basis. If a resident wants to invite additional guests, they need to obtain permission from the Recreation Committee Officers.

‘PROVISIONS’

a) A designated time and place will be provided to each club/activity group, provided they schedule their needs with the Recreation Committee and maintain updated and correct information. The Recreation Committee will try to accommodate all requests, but compromise may be needed in some cases.

b) Club/activity group will be allowed the use of the social hall at no charge, provided that no one is making a profit from the residents (outside of previously contracted club payments, i.e. food catering, hiring of a band, etc.). Companies or individuals soliciting future business or contracted for their own advantage must utilize the social hall according to the current pricing guidelines.

c) Use of the Social Hall will be limited to a maximum of six (6) hours per event including set up and clean up time. If more than six hours are needed, changes will be made through the Villages Office to check and clear the community Social Hall calendar. If conflicts occur with other scheduled events, the concerned parties must agree on any changes.

d) Each individual club/activity group will be responsible for the set-up and breakdown of furniture in the Social Hall that is needed for their function. The use of volunteers is recommended, as The Villages does not have staff available for this task. This does not apply to the HOA Board of Directors’ monthly business meetings

e) Clubs ONLY (not activity groups) are entitled to 50 free black & white copies per month. Copies may not be accumulated month to month. The Recreation Committee will be allowed 100 copies per month.

f) A Club or Activity may secure donations, if they so choose, at an activity for which they are sponsoring. *The following stipulations must be adhered to:*

1. Donations will be voluntary never required
2. No dollar amount will be mentioned.

If these stipulations are not adhered to, the Recreation Committee Officers will demand the activity cancel the donations request and the activity itself will be canceled if this demand is not met.

'ADVERTISING'

- a) Articles for club/activity group events may be submitted to the Village Crier at no charge provided they follow the current newsletter guidelines.
- b) Clubs/Activities groups may promote their specific event by submitting material to the office staff. Posters on two designated bulletin boards. All posters must be removed within two days after the event. Fliers may be posted on designated bulletin boards. All fliers must be removed immediately after completion of the event.
- c) Use of Sandwich Board/White Poster Boards under the following rules: The event that is nearest to happening may place a sandwich board in front of the planter in the breezeway one week in advance of the event date. no more than 30 days prior to the date of the event. Future events may take advantage of the wall white board frame showing coming attractions. The sandwich board will be removed immediately when the event is complete so the next coming event would be able to use the sandwich board one week in advance of the event date. There will be a maximum of three (3) sandwich boards used if the wall frame is full with a total of five (5) white boards. All advertising by sandwich boards will not be allowed unless approved by the Recreation Committee.
- d) A notation on the two dry erase boards. A monthly schedule of events will be posted on the two (2) dryerase boards.
- e) An article in the Village Crier Newsletter.
- f) Any club event that will invite or advertise to non-residents must submit information to the Board Liaison member 60 days in advance of ticket sales. This is required to determine if extra liability insurance is needed and, if so, the event will be responsible for the premium. Tickets will be available to non-members one week in advance of event.
- g) Clubs must obtain approval from the Board of Directors via the Liaison prior to placing outside advertising.
- h) Clubs are responsible for all costs for any outside advertising and such ads must state "THIS IS A NON-ALCOHOL EVENT".

'INSURANCE'

At the beginning of each year a list of all activities or events for the coming year will be given to the Recreation Committee. This information will then be forwarded to the Villages' Insurance Company for the proper insurance coverage.

'EQUIPMENT'

- a) Any equipment that will be mounted to Village's property must have approval of the Board of Director and will then become the property of The Villages.
- b) All club equipment must be paid for by the clubs using the equipment; exceptions may be made. A maximum of \$200.00 of Recreation Committee monies may be readily available to them to cover the purchase of small items. These purchases would either enhance or replace an item that would benefit all residents of the Villages of Lynx Creek, rather than having to go to the HOA Board for approval. The Recreation Committee agrees to consider each individual transaction on its own merits.

c) Specific equipment owned by various clubs may be loaned at the discretion of the owner-club. Owner-club must check to make sure items are in good working condition at the time of pick up and return.

d) If a Club that maintains equipment should disband, they may sell or donate their equipment. The Recreation Committee would have first opportunity to purchase that equipment.

ACCOUNTING (Recreation Committee/Clubs)

a) All events using the kitchen and serving a meal with charge “breakfast, lunch or dinner” will pay \$0.75 per person to the kitchen fund.

b) If an event is catered a fee of \$25.00 will be paid to the kitchen. A total of three (3) catered events will be allowed per year.

c) Club Treasurer (or designated appointee in their absence) must handle all deposits and check requests.

d) Club records must outline acceptable accounting procedures for tracking of all club funds (gross intake, expense with receipts, and net profit/loss per event) and petty cash totals. All records should be maintained for auditing purposes for a minimum of 3 ½ years per Federal mandates for non-profit organizations.

‘TICKETS’

Tickets will be sold approximately 2 ½ weeks prior to an event. **Due to there now being volunteers in the office daily, we will be selling tickets every day of the week 10:00 A.M. to 2:00 P.M. No prior sales are allowed.** Table reservations will be limited to **one (1) table**. Names and lot numbers are required for each ticket sold. If a non-resident is purchasing tickets, “guest” will be noted.

‘SOLICITATION POLICY’

a) Advertising fliers are to be given to the office for posting in the locked bulletin boards.

b) Door to door sales is not allowed; this includes leaving fliers. (no exceptions).

c) One outside community service/event flyer may be posted on the “Community Events” bulletin board.

d) One business card may be posted on the “Services” bulletin board.

e) One flyer, provided by a resident for their religious affiliation for a fund-raising event i.e. rummage sale/bake sale/dinner etc. may be posted on the bulletin board shared with the “Sunshine Committee”.

f) Supplying of food items for events by solicitors is permissible, however, no sales person is to attend the meeting. They may leave fliers indicating who donated the item with their name and phone number. The Villages resident who sponsors them is to take care of this item.

‘SOLICITATION WITH EDUCATIONAL BENEFIT TO THE RESIDENTS’

a) The outside organization must have a Village sponsor (homeowner).

b) The sponsor will present the idea to the Recreation committee.

c) The program must be approved by the Recreation Committee.

d) The event will be free of charge and open to all Village residents and their guests.

e) Clubs/activity groups may promote their specific event by submitting material to the Office Staff.

(f)The sponsor and Recreation Committee will coordinate with the Office staff for an available date and time on the official activity calendar.

g) The total time will not exceed 90 minutes per event, including set up and clean up time. However, the Villages Office staff may extend the time, depending on the event to be scheduled.

h) The sponsor will be responsible for all parts of the event.

NOTE: The Association will not add any monies to the Recreation Committee or Kitchen Line items or be responsible for any deficit created by the Recreation Committee/Kitchen.

NOTE: Any exceptions to these Recreation Committee Rules must have the approval of the Villages Board of Directors.

'GARAGE – PATIO SALE'

Two (2) Villages community Garage-Patio sales are scheduled annually: The Saturday after Memorial Day and the Saturday after Labor Day.

Two (2) Villages community Garage-Patio sales are scheduled annually at the discretion of the Villages Recreation Committee.

'RULES OF CONDUCT'

All Members (including Committee Officers) will comply with the following guideline while attending a Recreation Committee Meeting.

- Conduct themselves in a dignified, reserved, courteous and proper manner.
- Wait to be recognized by the Chairperson of the meeting if the Member wishes to speak at the meeting. No Member shall speak out of order, nor shall any Member engage in any activity which interrupts or distracts any other Member when another Member has the floor for discussion purposes. The Chairperson shall determine who has the floor to speak and may impose reasonable time limitations.
- Members shall act, speak and communicate in a calm and reasonable manner, in setting forth, elucidating or underscoring any points to be made, or in resolving any issues under discussion or consideration in any meeting.
- Refrain from exhibiting anger or hostility and from directing verbal or written abuse against anyone. There shall be no physical contact or verbal harassment.
- Refrain from making accusations that are needlessly inflammatory against anyone.

Any Member who violates these rules of behavior may be asked to leave.

Revised May 28, 2021

Approved by the Villages at Lynx Creek Board of Directors at the May 12, 2021 HOA Meeting

Steve Breyer, President

Albert Myers, Vice President

Luci Salas, Treasurer

MaryAnn Schulte, Secretary

Rich Mann, Director-at-Large

Revised 05/28/2021

RESOLUTION OF
THE BOARD OF DIRECTORS

THE VILLAGES AT LYNX CREEK OWNERS' ASSOCIATION

WHEREAS, the Board of Directors of the Villages at Lynx Creek has recognized a need to implement a policy of imposing monetary penalties against members who violate (or whose tenants, guests or invitees violate) the governing documents of the Villages at Lynx Creek Owners Association (hereinafter referred to as "The Villages"):

AND WHEREAS the Board of Directors desires to give notice to the Members of the implementation of the monetary penalty policy;

NOW THEREFORE BE IT that the Board of Directors, in compliance with Arizona Revised Statute 33-1803, hereby adopts the following monetary policy:

A member of the Villages who is found to be in violation of the Declaration of Covenants, Conditions and Restrictions (hereinafter referred to as the CC&R's) or any other provision of the Restrictive Documents of the Villages will be notified in writing of the nature of the violation. Such notice will be sent by mail or hand delivered and then mailed. The notice of violation shall provide that within a period of time (to be determined by the Board of Directors) the violation must be corrected. If such violation is not cured within the determined time frame, a second notice will be sent notifying that the violation has not been cured and that a subsequent fine has been imposed. The second letter shall also advise the member of the right of the member to appeal a decision and to allow the member to present a defense and to offer any mitigating circumstances concerning the alleged violation.

If the Board of Directors hears a member's reasons for the violation and decides not to impose a monetary penalty, the member will be relieved of any obligation to pay a monetary penalty.

If the member does not attend the meeting at which any appeal is to be heard, the monetary penalty shall be imposed the day of the meeting.

Any fine levied pursuant to this resolution shall be considered an assessment against the member's lot and shall be collected by the Villages in the same manner as all other such assessments as provided in the CC&R's.

Adoption of this resolution will not preclude any other enforcement remedy the Villages may possess at law or in equity with respect to any violation of relevant documents of the Villages.

All legal, collections and/or other expenses incurred by the Villages will be the obligation of the member.

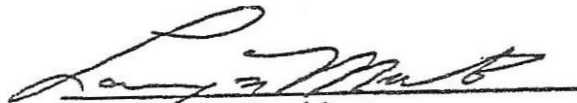
The fine schedule may be any amount and may be imposed per incident, per day or as determined appropriate by the Board of Directors. A schedule will be adopted by the Board of Directors and published listing appropriate penalties. Such list shall not preclude the inclusion of violations not listed nor the amounts of such penalties.

BE IT RESOLVED THAT this resolution be sent to all lot owners and given to all persons buying property in the Villages.

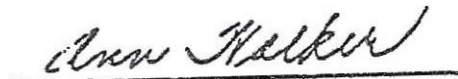


Al Harding, Member

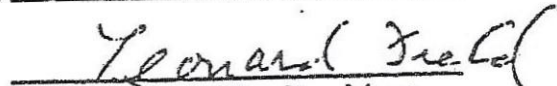
Ben Stanton, Treasurer



Larry Martin, President



Ann Walker,
Secretary

9-19-2002

Leonard Field, Vice-President

Date

**THE VILLAGES AT LYNX CREEK OWNER'S ASSOCIATION
VIOLATION FINE POLICY AND APPEAL PROCESS**

Effective: March 18, 2021

The following Fine Policy and Appeal Process shall be followed for The Villages at Lynx Creek Owner's Association pursuant to the Declaration of Covenants, Conditions and Restrictions ("CC&Rs") at Section 6.10:

FIRST NOTICE: A courtesy call will be placed to the homeowner and documented.

SECOND NOTICE: If violation still exists seven (7) calendar days after the date of the courtesy call, a notice will be sent to the homeowner via certified mail. The homeowner has 21 days from the date on the notice of infraction to correct the infraction or respond via certified mail to challenge the notice (*phone calls or office visits are not legal responses to a notice of violation*).

THIRD NOTICE: If the infraction is not corrected within the 21-day period, or the homeowner has not responded via certified mail, a notice of fine will be sent to the homeowner via certified mail. This fine will be assessed to the homeowner. If the violation continues, there will be an escalation of the fine and or interest applied per the attached fine schedule.

CONTENT OF NOTICES: Consistent with Arizona law as may be amended, any notice will state the process the Owner must follow to request an appeal/hearing to contest the notice, and will also give notice of the Owner's right to petition for an administrative hearing with the Arizona Department of Real Estate pursuant to A.R.S. Section 32-2199.01.

FINES: No fine shall be imposed, for correctable infractions, without first providing a notice of the violation from the Association to the Owner describing the violation and stating that failure to correct the violation within twenty-one (21) calendar day or *another recurrence of the same violation within 1 year* of the original violation shall mean, the Owner is *subject to imposition of a fine*. Failure to pay any fine shall subject the Owner to the same potential penalties and enforcement as failure to pay any assessments under Article 6 of the CC&R's.

COMMON AREA FINES: May be assessed without notice. Common area fines are those violations that are an action of the homeowner in common areas rather than a correctable condition of their property. These fines will only be assessed toward actions that are witnessed by a Villages Board Member, a community monitor or a formal written grievance submitted by a homeowner. Example: *Speeding, driving on grass or sidewalk, removal of material from any recycle bin, dumpster rules violations, parking overnight on street. etc.*

INJUNCTIVE RELIEF: If a violation is not cured after the Third Notice, the Board of Directors may request the Association's legal counsel to file an action seeking injunctive relief against the Owner to cure the violation(s). However, this Fine Policy shall not limit the Board of Directors right to seek immediate injunctive relief at any time regardless of the presence or absence of notices or fines hereunder, for any violation that the Board of Directors determines in its sole and absolute discretion.

BOARD DISCRETION: The Board of Director shall consider the fines set forth in this Fine Policy and schedule to constitute damages sustained by the Association and are intended to compensate the Association for the administrative burden of addressing the violation and the adverse impact of the violation on the community.

The Board of Directors reserves the right to deviate from the fine amounts set forth herein if, after a hearing on the matter, the Board finds good cause to modify the amount of the fine levied in a particular case. The Board also reserves the right to pursue any and all other remedies set forth in the CC&Rs at the same time or in lieu of levying the fines set forth in this Fine Policy.

APPEAL PROCESS

Any unit owner who has received a fine notice shall have the opportunity to appear before the Board to appeal the Board's decision that a violation exists. Such appeal right shall be deemed waived if not timely exercised by the Owner. The appeal process shall be as follows:

- Within twenty one (21) calendar day following the date of the fine notice, the Owner may appeal the violation decision in writing, via certified mail, to the Board and request a hearing on the matter (*Phone calls or office visits do not constitute a legal appeal*). . If the written hearing request is not received within such twenty-one (21) day period, the Owner's right of appeal shall terminate as of the end of the twenty first day.
- The Owner shall have the right to appear at the hearing in person or by a representative and to present all pertinent supporting information.
- An Owner who timely exercises his or her appeal right shall be provided a written notice of the time, date and place of scheduled appeal hearing which shall be conducted in an Executive Session meeting of the Board. In the event the Owner fails to appear in person or by representative at such scheduled hearing, his or her appeal right shall be deemed waived.
- After completion of the appeal hearing, the Board will make its decision. The Owner will be informed in writing of such decision within fifteen (15) calendar days from the date of the appeal hearing.
- In the event the appeal is denied, unless otherwise stated in the Board's written decision, the effective date of the fine shall be retroactive to the date set forth in the fine notice.

All decisions of the Board as to an appeal hearing are final. However, an appeal of the board's decision may be submitted to the Arizona Department of Real Estate pursuant to A.R.S. [32-2199.01](#).

FINE SCHEDULE: See attached

VILLAGES AT LYNX CREEK, DEWEY, AZ. NEW FINE POLICY EFFECTIVE DATE: March 18, 2021

| FINE SCHEDULE: | CC&R or other Reference | 3rd Notice | 4th and additional Notices |
|---|------------------------------------|----------------------------|--|
| Alterations to property, structures, Painting or landscape without Architectural Committee approval | CC&R's 3.1.4 & Architectural Rules | \$250 plus remedial action | \$1000 |
| RV Generator Use | 3.2.3 | \$25 | \$75 |
| RV Wheel/Axel – Skirting | 3.2.4 | \$150 | \$450 |
| RV Setbacks | 3.2.5 | \$25 | \$75 |
| Exceeding RV Age Restrictions | 3.2.6 | \$250 | \$1000 |
| Park Model-Utilities Requirements | 3.3.3 | \$25 | \$75 |
| Park Model Wheel/Axel – Skirting | 3.3.4 & 3.3.5 | \$150 | \$450 |
| Exceeding Park Model – Age 2 yrs. | 3.3.6 | \$250 | \$1000 |
| Park Model not installed per CC&R's & Architectural Guidelines | 3.3.7 & 3.3.9 | \$150 Plus Remedial Action | \$450 |
| Modular/Manufactured (M/M) Criteria | 3.4.1 | \$250 | \$1,00 |
| M/M Skirting | 3.4.3 | \$150 | \$450 |
| M/M Set Backs | 3.4.4 | \$150 | \$450 |
| Building & Lot Development | 3.4.6 | \$500 | \$2500 |
| Storage Restrictions | 3.5.1 | \$75 | \$250 |
| Approval & requirements for sheds, ancillary structures, attachments, etc. | 3.5.2 thru 3.5.5. | \$500 Plus Remedial Action | \$2500 |
| Passenger vehicles & parking | 3.5.6 | \$25 | \$75 |
| Animal waste control and other issues | 3.5.7 | \$25 Plus Remedial Action | \$75 |
| Only 1 unit/lot excepting that allowed under 3.5.6 | 3.5.8 | \$500 | \$2000 |
| Items requiring added insurance | 3.5.9 | \$150 | \$450 |
| Signage Restrictions | 3.5.11 | \$50 | \$150 |
| Rent/Lease Requirements | 3.6 R&R's | \$150 | \$450 |
| Lawns and plantings maintenance Nuisance/Disease/Insects | 3.7 thru 3.9 | \$50 | \$150 |
| Buildings in disrepair, needing paint, mineral exploration, lines & wires, overhead encroachment | 3.10 thru 3.13 | \$150 | \$450 |
| Residential Use Only | 3.14 | \$250 | \$1500 |
| Adult Housing | 3.15/R&R's | \$250 | \$1000 |

FYI: ALL ARCHITECTURAL ISSUES NEED TO BE DISCLOSED TO ALL

| FINE SCHEDULE: | CC&R or another Reference | 3rd Notice | 4th and additional Notices |
|--|--------------------------------------|---|--|
| Drainage, gutters and downspouts | 3.19 | \$50 | \$150 |
| Temporary Occupancy or Buildings | 3.21 | \$150 | \$450 |
| Walls and Fences | 3.22 | \$150 | \$450 |
| Violating Restricted Area Access | 4.1.1 (iii) | \$50 | \$150 |
| Owner of leased lot using common area | 4.1.2 | \$50 | \$150 |
| Preventing Easement Access | 4.3 all | \$50 | \$150 |
| Violation of Common Area Rules at various locations on HOA property | Rules & Regs pg. 4, #15 | \$25 common area fine | \$100 |
| Parked Vehicles Blocking Street or parked across from one another | Rules & Regs pg.2, #13 | \$50 common area fine | \$150 |
| Unsightly or Haphazard parking of Vehicles on Lot | 3.8 | \$50 | \$100 |
| Common Area Parking Violations | Rules & Regs Pg. 2, #13 | \$25 common area fine | \$75 |
| Violating Rec. Committee Rules | Rec Rules Pg. 6 | \$25 | \$75 |
| Violating Pool/SPA Rules | Rules & Regs Pg.4, #17 | \$25 common area fine | \$75 |
| Speeding on Village Streets | Rules & Regs, Pg.6, #20 | \$25 common area fine | \$75 |
| Underage vehicle operation | Rules & Regs Pg. 6, #22 | \$25 | \$75 |
| Violating Village Sign Ordinance | Rules & Regs | \$25 common area fine | \$75 |
| Violating Quiet Time | Rules & Regs Pg. 7, #34 | \$25 | \$75 |
| Tree not trimmed to 14' over road | 7.2 | \$25 | \$75 |
| Rules of Conduct | Rules & Regs Pg. 4, #15 | \$150 | \$450 |
| Speeding (over 10 MPH) | Rules & Regs (Posted) | \$25 common area fine | |
| No overnight street parking | 3.5.6 | \$25 | |
| Residents not wearing name badge to common area or events | Rules & Regs Pg. 1, #4 | \$5 Plus Remedial Action | |
| Removal of Aluminum or glass from any recycle bin or any material from The trash dumpster. | Rules and Regs. (Posted) | \$100 common area fine | |
| Fallen Leaves not removed within 21 days of notice. | 7.4 | Removal by others and charged back to homeowner | |

FYI: ALL ARCHITECTURAL ISSUES NEED TO BE DISCLOSED TO ALL POTENTIAL BUYERS