

Cottonwood Creek Neighborhood Association  
Aiken, South Carolina

Schedule of Fines and Appeal Process

2019018610

NOTICE

RECORDING FEES

\$10.00

PRESENTED & RECORDED:

07-26-2019 12:33 PM

JUDITH WARNER

REGISTER OF MESNE CONVEYANCE

AIKEN COUNTY, SC

BY: VIRGINIA DUNN DEPUTY

BK: RB 4791

PG: 995 - 997

WHEREAS, Section 8.5.4 of the Bylaws of Cottonwood Creek Neighborhood Association provides that the Board of Directions shall have the power to promulgate, adopt and publish rules and regulations and establish fines and other punishments for violations relating to the use of Common Areas, Limited Common Areas and facilities therein and regarding the personal conduct of persons on or utilizing the Common Areas, Limited Common Areas and

WHEREAS, Section 14.2 of the Bylaws of Cottonwood Creek Neighborhood Association requires that all Record Owners, their guest and tenants must at all times, comply with the rules and regulations adopted by the Board of Directions. Should any person fail to comply therewith, such person may be fined in accordance with a schedule of fines adopted by the Board of Directors as part of the rules and regulations and such fine shall be in addition to any other legal or equitable remedy available to the Association.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Cottonwood Creek Neighborhood does hereby establish a Schedule of Fines and Appeal Process as follows:

The Cottonwood Creek Neighborhood Association (CCNA) may impose fines against a Record Owner for violations of, or failure to comply with the terms hereof, in accordance with the following procedure:

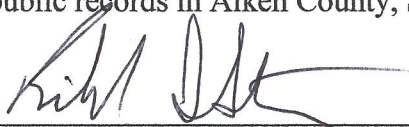
1. In the event that such Record Owner fails to remedy a violation of the Covenants, Rules, Regulations or Policy Resolutions within ten (10) business days after the receipt of written notice from the CCNA, then the CCNA may impose a fine of up to \$200.00 per violation and/or a fine in the amount of \$25.00 per day until said violation is satisfactorily remedied. In addition to any fine, the cost to repair, replace or correct, if applicable, may be added and will become the responsibility of the Record Owner so fined.
2. The fines provided for in the foregoing may be imposed for each separate violation of the Covenants, Rules, Regulations or Policy Resolutions.
3. A Record Owner fined in accordance with the foregoing procedure may appeal such fine by delivering to the President or Secretary of the CCNA a written letter of appeal within twenty (20) days of notice to such Record Owner that a fine has been imposed. The Board of Directors of the CCNA, or its designees, shall within ten (10) days of delivery to the CCNA, set a date for the hearing of such appeal.

Such hearing must be set within thirty (30) days of delivery to the CCNA of such letter of appeal. At the hearing, the Board of Directors of the CCNA, or its designees, shall consider such appeal and shall render a decision as to whether the fine shall be lifted. In making such decision, The Board of Directors of CCNA, or its designees, shall determine whether a violation of the Covenants, Rules, Regulations or Policy Resolutions shall have occurred, and if so, whether the imposition of the fine is necessary and/or appropriate to remedy such violation and/or to inhibit future violations of the Covenants, Rules, Regulations or Policy Resolutions.

Fines imposed pursuant to the preceding paragraph shall become delinquent if not paid within thirty (30) days of the date imposed, or if appealed, within ten (10) days of the date the Board of Directors of the CCNA, or its designees, renders an opinion approving the imposition of the fine. Once delinquent, such fine shall bear interest at the rate of 1 ½% per month from the date the fine was originally imposed. Such fine shall be a personal obligation of the Record Owner. In the event that a delinquent fine and interest due is turned over to a third party or attorney for the purpose of collection, the Record Owner shall be responsible for all costs of collections, to include attorney's fees, court costs, receiver's fees, the cost of documentary evidence and any other costs reasonably related to the collection of the outstanding monies. These costs of collection shall also constitute a lien against Lot and shall be subject to foreclosure. The Board of Directors may take such actions as it deems necessary to collect the delinquent fine by an action of law against the Record Owner personally or by foreclosing said lien, and may settle or compromise the same if deemed in its best interest. The Association shall be entitled to bid at any judicial sale held pursuant to a suit to foreclose any lien and to apply as a cash credit against its bid all sums due, as provided herein, covered by the lien being enforced. Upon commencement of any foreclosure action, the Association shall be entitled to the appointment of a receiver for the Lot, and the Record Owner shall be required to pay reasonable rental for the Lot to such receiver.

The Cottonwood Creek Neighborhood Association Board of Directors has provided a draft of this Schedule of Fines and Appeal Process to the Record Owners for at least thirty (30) days and has solicited Record Owners comments.

Therefore, be it resolved, that the Board of Directors at its regularly scheduled meeting on MONTH, DAY, 2017 has adopted this Schedule of Fines and Appeal Process by majority vote and said Schedule of Fines and Appeal Process will be filed as part of the public records in Aiken County, South Carolina.

  
Richard Stover  
President  
Cottonwood Creek Neighborhood  
Association

SEE ASSOCIATION  
MINUTES OF 7/18/19  
2/13/17 Date



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Notary Public  
State of South Carolina  
County of Aiken  
Sari Meador

My Commission Expires July 09, 2028

Edna Keiser

Edna Keiser  
Secretary  
Cottonwood Creek Neighborhood Association

7/19/19

Date

Gina K. Goss

Witness

7/19/2019

Witness