

THE TOWNES AT THE VILLAGE AT SPRINGBROOK FARMS  
RESOLUTION 02-22-23

A RESOLUTION AUTHORIZING THE PROCEDURES FOR  
THE COLLECTION OF UNPAID MONTHLY ASSESSMENTS  
FOR GENERAL COMMON EXPENSES.

WHEREAS, Article X of the bylaws of The Townes At The Village At Springbrook Farms, dated August 1, 2004, authorizes the collection of monthly assessments for General Common Expenses against each Unit Owner; and

WHEREAS The Townes At The Village At Springbrook Farms presently assesses each Unit a One Hundred and Sixty-Five Dollar (165.00) monthly assessment; and

WHEREAS, Section 10.09 of Article X of the bylaws of The Townes At The Village At Springbrook Farms directs the Executive Board or the Managing Agent, at the request of the Executive Board, to take prompt action to collect any assessments of the General Common Expenses due from any Unit Owner which remain unpaid for more than thirty (30) days from the due date for payment thereof; and

WHEREAS, situations have recently arisen where certain Unit Owners have failed to fulfill their financial obligations by tendering the monthly assessments; and

WHEREAS, it is the desire of the Executive Board to adopt a streamlined procedure for the collection of the monthly assessments for General Common Expenses moving forward so as to avoid situations where individuals have accrued several months' worth of unpaid monthly assessments which is detrimental to the financial well-being of The Townes At The Village At Springbrook Farms;

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the Executive Board of The Townes At The Village At Springbrook Farms, as follows:

SECTION ONE. The caption of and recitals to this Resolution as set forth above are incorporated herein by reference as if fully set forth.

SECTION TWO. The law firm of Spitler, Kilgore & Enck, PC, is hereby authorized by the Executive Board to collect the monthly assessments

for General Common Expenses due from any Unit Owner which remain unpaid for more than thirty (30) days from the due date for payment thereof, which includes, but is not limited to, the monthly assessments, presently in the amount of One Hundred Sixty-Five Dollars (\$165.00), an amount subject to change from time to time. Collection shall be as follows:

SECTION THREE. The law firm of Spitler, Kilgore & Enck, PC, shall send an initial collections letter permitting the Unit Owner thirty (30) days from receipt of the letter to make payment of the unpaid monthly assessments of the General Common Expenses. Receipt of the letter shall be considered three (3) days from the date of mailing. Attached as Exhibit "A" is a copy of the initial collections letter substantially similar to the one being sent to the delinquent Unit Owners.

SECTION FOUR. Failure of the Unit Owner to make payment of the unpaid monthly assessments of General Common Expenses within thirty (30) days of the date of the letter shall result in the law firm of Spitler, Kilgore & Enck, PC, sending one final letter demanding payment of said monthly assessments within fifteen (15) days from the date of the letter. Attached as Exhibit "B" is a copy of the letter substantially similar to the one being sent to the delinquent Unit Owners.

SECTION FIVE. Upon failure of the Unit Owner to tender payment of the unpaid monthly assessments of General Common Expenses as set forth above, the Executive Board hereby authorizes the law firm of Spitler, Kilgore & Enck PC, to file suit for the collection of the unpaid assessments for General Common Expenses. A judgment for the collection of the unpaid expenses shall also include costs of suit and attorneys' fees.

SECTION SIX. The Executive Board is authorized to take such other action as may be necessary to carry out the purposes of this Resolution.

SECTION SEVEN. The Executive Board reserves the right to modify, supplement or amend the within Resolution from time to time by further Resolution.

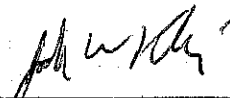
SECTION EIGHT. The provisions of this Resolution are severable and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect the remaining sections, sentences, clauses, parts or provisions of this Resolution. It is hereby declared to be the intent of the Executive Board that this Resolution would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.


SECTION NINE. This Resolution shall take effect and be in force after its enactment by the Executive Board.

DULY ORDAINED AND ENACTED this <sup>22</sup> day of Feb, 2023, by the Executive Board in lawful session duly assembled.

ATTEST:

THE TOWNES AT THE VILLAGE AT  
SPRINGBROOK FARMS

  
\_\_\_\_\_  
Secretary

BY:   
\_\_\_\_\_  
David Breniser  
President of the Executive Board