

theWINNIE

COLLECTION TURNOVER RESOLUTION

This resolution is made this on the date set forth below by the Management Committee for the The WINNIE Owners Association, Inc., a Utah non-profit corporation.

RECITALS

- A. Certain real property in Davis County, Utah, known as The WINNIE Owners Association, was subjected to certain covenants, conditions, and restrictions pursuant to a Declaration of Condominium (the "Declaration");
- B. Pursuant to the Declaration and Utah Code Ann. § 57-8-20, the Association is authorized to levy and collect assessments to fund common expenses;
- C. The Management Committee desires to set forth procedures for the turnover of assessment collections to an attorney;
- D. This Resolution was properly adopted by the necessary vote of the Management Committee in compliance with the provisions of the CC & R's of The WINNIE Owners Association, Inc.

NOW, BE IT RESOLVED:

1. If any common expense remains unpaid by an Owner for more than ten (10) days from the due date for its payment, the Committee or its agent shall send a notice to the Owner indicating the amount due, including notice of the late fees of \$25 plus 18% interest, and demand for immediate payment thereof.
2. If any assessment remains unpaid by an Owner for forty-five (45) days from the due date for its payment, the Committee or its agent shall send a notice to the Owner indicating the amount due, including notice of the late fees of \$25 plus 18% interest, and demand for immediate payment thereof.
3. If any assessment remains unpaid by an Owner for ninety (90) days from the due date for its payment, the owner will be charged a \$150 pay or lien fee, \$25 late fee and 18% interest. The Committee or its agent may turn over collection to the Association's attorney ("Attorney"). Late fees and interest will continue to accrue per the governing documents until all outstanding amounts have been satisfied.
4. If any assessment remains unpaid by an Owner for one hundred ((100) days from the due date for its payment, the owner will be charged a \$25 late fee and 18% interest. The Committee or its agent may turn over collection to the Association's attorney ("Attorney"). Late fees and interest will continue to accrue per the governing documents until all outstanding amounts have been satisfied.
5. Attorney shall send a written demand for payment and any notice as required by the federal Fair Debt Collection Practices Act, if applicable. Attorney, or its agent, shall file a lien. The lien and demand for payment shall include all collection costs to date. The lien shall be filed and mailed in accordance with Utah law.

5. If after one-hundred twenty (120) days from the due date for payment any assessment continues to remain unpaid by the Owner, Attorney shall file a lawsuit for money damages or initiate judicial or non-judicial foreclosure proceedings.

6. Once an Owner has been turned over to Attorney for collections, the Owner shall work directly with Attorney to resolve the collection and shall not contact the Committee or its agent.

7. Any and all attorney's fees and costs incurred to collect past due assessments shall be paid by Owner.

ATTEST:

President _____

Date: _____