

**Sun City Mesquite Homeowners' Association
Resolution 17-02 Establishing
Timeline to update Re-Painting of Houses**

WHEREAS, the Sun City Mesquite Homeowners' Association (hereinafter "Association") was established by the Articles of Incorporation on May 10, 2007; and

WHEREAS, in accordance with the Declaration of Covenants, Conditions and Restrictions (hereinafter "CC&R's), the affairs of the "Association" shall be conducted by the Board of Directors ... (Article 6, The Association, Section 6.2, Directors and Officers, Item, 6.2.5); and

WHEREAS, Article 5, Maintenance and Repair, Section 5.3, Unit Owner's Failure to Maintain, describes and owners responsibility, and

WHEREAS, the By-Laws of the Sun City Mesquite Homeowners' Association grant the right to the Board of Directors (hereinafter "Board") to establish such Rules as it deems appropriate (Article 3.23); and

WHEREAS, it is the desire of the Board to establish a Policy for the purpose of Re-Painting of Houses, (hereinafter "Re-Painting") for the benefit of the overall appearance of the Association;

NOW THEREFORE BE IT RESOLVED, the following Resolution establishes guidelines set forth for all homeowners of a unit within Sun City Mesquite Association to Re-Paint their unit under the following criteria. On or before the end of the tenth year a unit has been constructed, the unit shall be Re-painted.

- o Owner shall be required to Re-paint their property by the end of the 10th year from initial closing or the previous painting date. At no time will the duration be greater than 10 years without approval from the association.
- o As a courtesy the association shall mail notices as reminders to the owners and note painting deadlines.
- o A Re-painting "Notice" shall be submitted to the association verifying the existing color pallet and date of re-painting. An Architectural Review submittal and associated fees shall be required for those owners requesting to change the color group pallet.
- o All Architectural guidelines shall be followed.
- o After the end of the tenth year, if no action has been taken, a Notice to Re-paint will be sent to the owner serving as a reminder to satisfy this duty. The notice will provide an expectation of time to complete and subject to an amount for fines and penalties for non-compliance.
- o Fines and penalties: Will not exceed \$100.00 per violation and subject to a continuation fine of \$100.00 per month. After thirty (30) days from initial fine, a continuing fine of \$100 per month without further notice. Also, the Board may elect to suspend a member's privileges for use of Association Common areas with exception of ingress and egress to one's unit.

- o The ARC will have the authority to grant a variance of extended time on a case by case basis.
- o The Board of Directors will always retain the right of review and final decision.

Adopted this 10th day of *October*,2017, at a duly constituted meeting of the Board of Directors of the Sun City Mesquite Homeowners' Association.

John Schippert, President
Donna Eads, Secretary
Jim Karras, Treasurer

SUSPENDED