

STONEWOOD CROSSING RESOLUTION 2017-001

WHEREAS Stonewood Crossing has Declarations of Covenants and Restrictions recorded in Deed Book 74-H on Page 721 at the Spartanburg County Register of Deeds Office in the State of South Carolina which establishes Stonewood Crossing as a Home Owners Association and,

WHEREAS this Declaration requires all owners of the Association to pay the Maintenance Assessment in accordance with ARTICLE III of the Declaration and charges the Stonewood Crossing Board of Directors with the collection thereof and,

WHEREAS the Stonewood Crossing Board of Directors desires to establish a fair and equitable procedure to collect the assessment,

NOW, THEREFORE, BE IT RESOLVED THAT the Stonewood Crossing Board of Directors will establish the following collection procedures.

1. The Stonewood Crossing Board of Directors will cause an invoice to be generated and mailed by its Manager to the owner of record at least thirty (30) days prior to the due date of the annual assessment which shall be due and payable on the first day of January of each year.
2. After the assessment is delinquent as defined by the covenants and restrictions a reminder notice will be sent to all owners of record who have not paid the assessment. This reminder notice will notify the owner that the assessment is still unpaid and request that the owner make payment immediately. This notification will reflect all interest due at that point. This notice will also notify the owner that if payment is not received by a certain date that legal actions will be taken to collect the assessment. In no case will any legal action be taken prior to March 1st.
3. Assuming that payment has not been made by March 1st the owner of record will be notified by mail that the account is now severely delinquent. This notification will reflect all interest due at that point. This notice will also notify the owner that a notice of lien has been filed with the Spartanburg County Register of Deeds Office. This notice will also notify the owner of record that if payment is not received by April 1st that legal action will be filed against the owner of record on behalf of the Association in Spartanburg County Magistrate Court. The result of this action will be a judgment against the owner. The amount of the judgment will include but is not limited to. the assessment amount, all interest due, filing fees, costs of all court fees, process service fees attorney's fees and administrative fees or costs.
4. On or after April 1st the manager will file a Summons and Complaint in Spartanburg County Magistrate Court. This action will be undertaken by the manager. The Board understands that although these costs will be added to the

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owner's balance the Association is obligated to pay all costs associated with this action.

5. The Stonewood Crossing Board of Directors will cause payment to be remitted to cover all cost for such remedy actions paid from Association funds at the time service is rendered. However it is understood by all parties that in accordance with ARTICLE III of the declaration that delinquent owner is responsible for all costs associated with these actions. The Board will take all actions necessary to recover these costs from the delinquent home owner.

6. At anytime during or after this process the Stonewood Crossing Board of Directors reserves unto itself the right to pursue any actions available to it as provided in the Covenants and Restrictions and by law in order to recover any and all charges rightfully owed to the Stonewood Crossing Homers Owners Association. .

APPROVED:

DATE: 1-23-17

PRESIDENT: John S. Koenig

SECRETARY: Casey Crane