

**MOHAWK TRAIL HOMEOWNERS ASSOCIATION
DUES PAYMENT RESOLUTION**

WHEREAS, the Board of Directors of Mohawk Trails Homeowners Association. is empowered to govern the affairs of the Townhouse Association pursuant to Article III, Section 3.10 of the Declaration states that “Directors: Powers and Duties. The Board of Directors may exercise all the powers of the Association, except such as are by statute, the Declaration, the Certificate of Incorporation, or the By-Laws of the Association upon or reserved to either Members or the Developer.”

WHEREAS, the Declaration of Covenants, Easements, Conditions, Bylaws and Rules and Regulations of the Mohawk Trails Homeowner Association, Article III Section 3.10, Letter E of the Declaration states that “To protect the rights of Members by enforcing the covenants, conditions and restrictions set forth in the Declaration.”

WHEREAS, the Declaration of Covenants, Easements, Conditions, Bylaws and Rules and Regulations of the Mohawk Trails Homeowner Association, Article III Section 3.10, Letter F states that “To otherwise enforce and carry out the provision of the Declaration.”

WHEREAS, Article V, Section 5.09, of the Declaration states that if a maintenance of Special Assessment or installment payment thereof with respect to a Unit, is not paid by the Due Date established pursuant to Section 5.04 or Section 5.07 hereof for the payment of such Maintenance or Special Assessment, or installment payment, then such payment shall be deemed delinquent and shall (together with interest, at a rate of 12% per annum from the Due Date, penalties or cost of collection including attorney’s fees as may be fixed from time to time by the Board of Directors be a lien on the Parcel on which the Unit is situated. In addition to such lien, the then Owner of the Unit may be held personally liable for the payment thereof (including interest, penalties, and costs of collection). Such personal liability with respect to a delinquent payment shall remain the personal liability of the then Owner until paid and shall be required to be assumed by any successors in the interest to the Unit. The Association may bring legal action for payment against the Owner(s) personally liable or may foreclose on the lien as it deems advisable.

NOW, THEREFORE, BE IT RESOLVED THAT the following policy is adopted for collection of delinquent Association assessments.

Annual MTHOA Dues are Quarterly Payments -Due 1/1, 4/1, 7/1, 10/1.

Payments are considered late 5 days after the due date.

Late Payment Penalty is \$50 per month. Please include the \$50 late fee with your payment when you submit your payment.

On the 15th of the Month, Late Payments will be Assessed a 12% Annual Interest Rate (which is 1% per month) of the Payment Due Amount (no interest will be charged on the Late Fees- Interest will only be assessed on the Late Quarterly Dues balance). This amount must be included when making payment.

If three quarterly payments are in arrears, a lien will be placed on the property, with associated costs, including legal fees at the current standard professional fee will be charged to the homeowner.

Board of Directors
Mohawk Trails Homeowners Association
03/12/2024