

**BROOKSHADE HOMEOWNERS ASSOCIATION, INC.
RULE REGARDING FINES**

Whereas, pursuant to the Amended and Restated Declaration of Covenants for Brookshade, recorded August 17, 2007 at Deed Book 45559, Page 235, et seq., Fulton County, Georgia records ("Declaration"), the Brookshade Homeowners Association, Inc. ("Association") is the homeowner association duly authorized to handle the affairs of the Brookshade community as set forth in the Declaration; and

Whereas, the Declaration, in Article XIII, Section 19, provides that the Association may exercise any right or privilege given to it expressly by this Declaration, the Bylaws, the Articles of Incorporation, any use restriction or rule, and every other right or privilege reasonably to be implied or reasonably necessary to effectuate the right or privilege therefrom; and

Whereas, the Declaration, in Article XIII, Section 1, provides that each Owner and every occupant of a Lot shall comply strictly with the Declaration, Bylaws, and Rules and Regulations, and further provides that the Board of Directors may impose and levy fines (and/or other sanctions) for violations thereof; and

Whereas, the Declaration, in Article VI, Section 9 provides that all provisions of the Declaration, Bylaws, and any rules and regulations adopted pursuant to the Declaration which govern the conduct of Owners and which provide for sanctions against Owners, shall also apply to all occupants of Lots and guests and invitees of occupants or Owners; and

Whereas, the Bylaws of Brookshade Homeowners Association, Inc. ("Bylaws"), in Article III, Section 16, provide that the Board of Directors shall be responsible for the affairs of the Association and shall have all of the powers and duties necessary for the administration of the Association's affairs; and

Whereas, the Bylaws of Brookshade Homeowners Association, Inc. ("Bylaws"), in Article III, Section 16(h), provide that the Board of Directors of the Association shall have the power to enforce the provisions of the Declaration, the Bylaws, and the rules and regulations adopted by it; and

Whereas, the Bylaws, in Article III, Section 16(f), provide that the Board of Directors of the Association shall have the power to make and amend Rules and Regulations of the Association; and

Whereas, the Board has determined that failure of a Lot Owner (or occupant, resident, visitor, guest, licensee, or invitee) to comply with the covenants and provisions of the Declaration, Bylaws, or Rules and Regulations of the Association, has a material adverse impact on the interests of the Association and on the community as a whole; and

Whereas, the Declaration, in Article IV, provides for the obligation of each Owner to pay assessments as established by the Association through the Board of Directors ("Board"); and

Whereas, the Declaration, in Article IV, Section 8 provides that fines levied pursuant to Article XIII, Section 1 of the Declaration shall be specific assessments, and in Article IV, Section 5 provides that all assessments levied against any Lot shall be secured by a lien on the Lot; and

Whereas, the Bylaws Article III, Section 19 provides for a Fining Procedure regarding imposition of fines in connection with violations of the Declaration, Bylaws, or Rules and Regulations; and

Whereas, the Board has approved and duly adopted the Rule concerning fines as set forth below;

NOW, THEREFORE, the following Rule concerning fines is hereby adopted:

**BROOKSHADE HOMEOWNERS ASSOCIATION, INC.
RULE REGARDING FINES**

A. ENFORCEMENT BY FINES:

(1) If any provision of the Declaration, the Bylaws, or any Rule or Regulation of the Association is violated by a Lot Owner, or any by a resident, occupant, visitor of or to a Lot, or by any guest or invitee or licensee of a Lot Owner or of an occupant of a Lot, then the Association, through its Board of Directors, may impose fine(s) against the Owner of the subject Lot.

(2) Fines may be imposed by the Board in an amount up to Fifty (\$50.00) Dollars for each violation or repeated incident of such violation, and up to Fifty (\$50.00) Dollars per day for each day of a continuing violation.

(3) Any fine imposed by the Association's Board shall be effective only upon and as of the date of giving a Notice of Fine, as set forth in Article III, Section 19 of the Bylaws.

(4) Fines imposed hereby shall be the personal obligation and liability of the Owner of that Lot, and shall be a specific assessment and lien against that Lot as set forth in the Declaration and the Bylaws.

(5) The right and option of the Association to impose fines is and shall be independent, cumulative, separate from, and not exclusive of any of the Association's other rights or means of enforcement of the Declaration, Bylaws, and Rules and Regulations. The imposition of fines, or the failure to impose fines, for a given violation, shall not constitute any limitation or waiver of any other rights of enforcement for such violation.

B. EFFECTIVE DATE OF RULE:

This Rule shall be effective ten (10) calendar days after such Rule has been duly promulgated by a notice of this Rule (including a copy of the Rule) having been sent or given by the Association to Lot Owners.

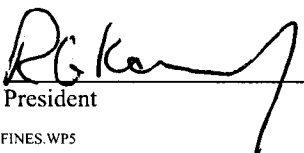
C. PROMULGATION OF RULE:

This Rule may be promulgated by the Association or the Board by providing a copy hereof to each present Lot Owner in the manner for giving Notices hereunder; or upon posting to the community website for the Association with notice of such posting being given to each present Lot Owner in the manner for giving Notices hereunder as set forth herein.

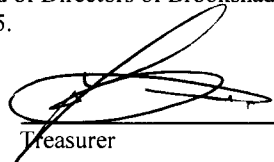
D. MANNER OF GIVING NOTICES HEREUNDER:

The giving of any Notice hereunder, or the giving of any other notice or communication to an Owner or other person in connection therewith, may be accomplished by, and shall be effective upon, its being sent via email, or sent via U.S. Mail, or hand-delivered, to the stated recipient. Notice to an Owner shall be addressed and/or delivered to the Lot address, or addressed to such other last-known mailing address of that Owner; or sent to an email address that was provided by an Owner to the Association for purpose of communications or notices, or as that has been used by such Owner within the preceding two (2) years to send or receive any communications or notices with the Association or specifically concerning the Brookshade community.

THIS RULE IS HEREBY DULY ADOPTED by the Board of Directors of Brookshade Homeowners Association, Inc. ("Board"), as of the 4th day of APRIL, 2015.



President



Treasurer