

STATE OF GEORGIA
COUNTY OF COBB

Return To:
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Cross Reference: Deed Book 14188, Page 5778.

REGULATIONS REGARDING FINE AMOUNTS FOR VIOLATION OF THE GOVERNING
DOCUMENTS FOR KIRK POINTE HOMEOWNERS ASSOCIATION, INC.

These Regulations Regarding Fine Amounts for Violation of the Governing Documents For Kirk Pointe subdivision ("Regulations") are made on the date hereinafter set forth by the Board of Directors ("Board") for Kirk Pointe Homeowners Association, Inc. ("Association").

WITNESSETH

WHEREAS, the Declaration of Covenants, Conditions, and Restrictions Kirk Pointe subdivision was recorded on July 20th, 2005, in Deed Book 14188, Page 5778, *et seq.*, in the public land records of Cobb County, Georgia ("Covenants");

WHEREAS, Section 14 of the Association's Covenants regarding "Authority and Enforcement", provides that *The Board shall have the power to impose reasonable fines, which shall constitute a lien upon the Owner's Lot, and to suspend an Owner's right to vote and/or to use the Area of Common Responsibility for violation of any duty imposed under the Declaration, Bylaws or Association rules;*

WHEREAS, the Board finds it is in the best interests of the Association to adopt regulations to establish reasonable fine amounts based upon those typically imposed by associations in the Atlanta-metro area and it is in the best interest of the Association that Owners have advanced notice of said fine amounts;

NOW, THEREFORE, the Board has adopted regulations regarding fine amounts for violation of the governing documents, which are attached hereto as Exhibit "A" and incorporated herein.

IN WITNESS WHEREOF, after any required notice, the regulations contained in Exhibit "A" were lawfully adopted by at least a majority of the Board of Directors for the Association, on the date set forth in Exhibit "A", which is attached hereto and incorporated herein.

Kirk Pointe Homeowners Association, Inc.

Sworn to, signed and sealed before us
this 1st day of April, 2024

By: *Jim Allen*
President

Attested to By: *[Signature]*

SECRETARY

WITNESS

Kathy Jo Motis
NOTARY PUBLIC

[SEAL]

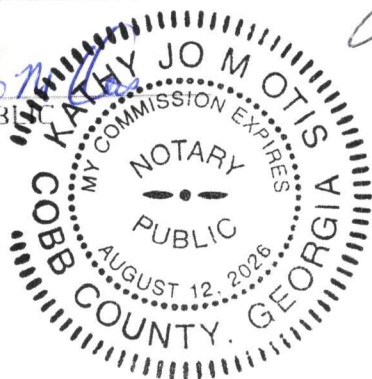


Exhibit "A"

BOARD RESOLUTION ADOPTING FINE AMOUNTS FOR VIOLATION OF THE GOVERNING DOCUMENTS FOR KIRK POINTE HOMEOWNERS ASSOCIATION, INC.

WHEREBY, Section 14 of the Association's Covenants regarding "Authority and Enforcement", provides that *The Board shall have the power to impose reasonable fines, which shall constitute a lien upon the Owner's Lot, and to suspend an Owner's right to vote and/or to use the Area of Common Responsibility for violation of any duty imposed under the Declaration, Bylaws or Association rules;*

WHEREBY, the Board wishes to establish reasonable fine amounts based upon those typically imposed by associations in the Atlanta-metro area; and

WHEREBY, the Board has determined that it is in the best interest of the Association that Owners have advanced notice of said fine amounts.

WHEREFORE, the following fine amounts are hereby adopted by the Board and are effective upon sending copies of this Resolution to all the Owners.

Fine Amounts for Violation of the Governing Documents

I. DAILY FINES FOR ONGOING VIOLATIONS

Daily Fine for Most Violations: \$25

The fine amount for all types of violations under the Governing Documents (other than those listed below as specific per incident fines) will be \$25 per day, per violation, until such time as the violation is corrected.

Daily Fine for Leasing Violations: \$50

Due to the high rental value of homes located in the Pointe at Kirk Farms subdivision, the fine amount for violation of any leasing restrictions shall be fifty dollars (\$50) per day, until such time as the violation is corrected.

II. FINES PER INCIDENT FOR SPECIFIC TYPES OF VIOLATIONS

Per Incident Fines For Specific Violations

The following violations will incur the listed fine amounts, per incident, instead of the daily fine:

1. *Parking Outside of Designated Area- \$75*
2. *Not Picking-Up After Pet, or Pet Off Leash- \$75*
3. *Not Removing Emptied Trash Bin from Street, within 24 hours from pick-up - \$75*

III. FLAT FINES IN ADDITION TO ANY APPLICABLE DAILY FINES

Architectural Approval Violation: \$500 or 10% of the project cost (whichever is less)

There shall be a set fine in the amount of \$500 or 10% of the project cost (whichever is less) for making a modification to a Lot (including the exterior of the dwelling) without first obtaining written pre-approval pursuant to the Covenants. This set amount is in addition to any daily fines incurred because the unapproved modification is also otherwise in violation of the governing documents.

Violation of Leasing Procedures & Regulations: \$150

There shall be a set fine in the amount of \$150 for a violation of a required leasing procedure or leasing regulation. This set amount is in addition to any daily fines incurred due to an ongoing, unapproved lease.

Unapproved Removal of Tree: \$150

There shall be a set fine in the amount of \$150 for each tree removed without the required, written pre-approval. This set amount is in addition to any daily fines incurred until such time as there has been replanting as approved by the Association.

Required Procedure

The Association may only levy a fine after complying with the required notice procedures contained in Section 14, paragraph (a) of the Covenants entitled "Fining and Suspension Procedure", including disclosure of right to appeal.

The foregoing Fine Amounts were adopted by resolution of the Board of Directors on this ____ day of _____, 20__, as indicated by signatures below.

Signature: _____

JIM ALLEN - PRESIDENT
Print Name & Position

Signature: _____

FRANK LANTRIP - VICE PRESIDENT
Print Name & Position

Signature: _____

ERIK SCHMITZ - TREASURER
Print Name & Position

Signature: _____

JIM OTIS - SECRETARY
Print Name & Position