

**Resolution of the Board of Directors
Of
King City Highlanders Homeowners Association, Inc.**

WHEREAS, "Declaration" is the Amended and Restated Declaration of Covenants, Conditions and Restrictions of King City Highlands;

WHEREAS, "Bylaws" are the Bylaws of King City Highlands Homeowners, Inc.;

WHEREAS, Washington County requires that Street Trees be provided and planted on or adjacent to the Common Property Tracts and Lots within the Association;

WHEREAS, the Article IV, Section 2 of the Declaration states that every person or entity who is a record owner of a fee interest or undivided fee interest in any Lot or Living Unit shall be a mandatory member of the Association;

WHEREAS, Article VI, Section 11 of the Declaration and Article V of the Bylaws authorizes the Board of Directors to adopt rules and regulations governing the conduct of persons and the operation and use of the Property within King City Highlands Homeowners Association as it may deem necessary;

WHEREAS, Article V, Section 2(m) of the Bylaws authorizes the Board of Directors to levy reasonable fines for violations of the Declaration, Bylaws or Rules and Regulations of the Association;

WHEREAS, Article XV, Section 3 of the Declaration provides that the Association shall be entitled to recover attorney fees, whether or not a suit or action is filed, against an owner in order to enforce the governing provisions of the Association;

WHEREAS, the Board of Directors deems it necessary to protect all Street Trees by implementing a fine against any owner that cuts down or destroys a Street Tree without permission.

NOW, BE IT RESOLVED, that the following rules and fines shall be adopted:


[continued over]

1. Pursuant to Article IV, Section 2 of the Declaration, no member of King City Highlands Homeowners Association, Inc. shall cut down, destroy or remove any Street Trees, whether located on existing Lots or Common Areas, without the express written consent of the Board of Directors of the Association.
2. Any owner who violates this Rule shall be subject to a One Thousand Dollar (\$1,000) fine, per incident, for such violation.
3. Any fines imposed by this Resolution against an owner are enforceable as an assessment under the Oregon Planned Community Act (ORS 94.709(5)).
4. Any owner who cuts, destroys or removes a Street Tree in violation of this Resolution shall pay the full replacement cost thereof. This amount, levied as a fine, shall be enforceable as an assessment under the Oregon Planned Community Act (ORS 94.906(5)).
5. Any owner who violates the rules contained herein shall be liable to the Association for any and all attorney fees incurred in enforcing this Resolution whether or not a lawsuit or action against said owner is filed.
6. Prior to levying the fines described herein, the Board of Directors shall give written notice and provide an opportunity to be heard to any owner deemed to have violated this Resolution. The notice of violation shall provide an opportunity for the offending owner to be heard within seven (7) days of receipt thereof. If, after meeting with the owner, or in the event an owner fails to appear before the Board, the Board determines that the fine was properly levied, such decision shall be final.

ATTEST:



President



Secretary

Date: Jan 26, 2001