

Woodway

exquisite homes and friendly people

ACTION PLAN VIOLATIONS OF DEED RESTRICTIONS (Exclusive of Non-Payment of Maintenance Fees)

Any member of Woodway Homes Association, Inc. (WHA, Inc.) may notify any member of the Board of Directors of WHA, Inc. in writing of an apparent deed restriction violation. Any member of the Board of Directors of WHA, Inc. who is so notified or who takes note of apparent deed restriction violations may report same to the Architectural Standards Committee (ASC) chairperson. The ASC chairperson and a minimum of one additional Board member shall personally inspect the possible restriction violation. If in their determination a violation of the deed restrictions has occurred, the following plan of action shall be followed:

1. **First Notice**
A letter shall be sent to the violating party describing the violation and asking that it be corrected. A copy of this Action Plan shall accompany the letter.
2. **Second Notice**
If the violation is not corrected in two weeks (or such longer time as the ASC chairperson may deem reasonable), a second letter shall be sent to the violating party, again describing the violation and asking that it be corrected. Specific reference should be included to step 3 below. A copy of this Action Plan shall again accompany the letter.
3. **Third Notice**
If the violation is not corrected in two additional weeks, a letter of formal notice shall be sent by WHA, Inc. legal counsel, via registered mail, return receipt requested. This letter shall (1) restate the deed restriction violation, (2) inform the violating party that if the violation is not corrected in 30 days legal action will be taken, and (3) inform the violating party that WHA, Inc. is entitled to recover legal fees and other reasonable costs incurred in enforcing deed restrictions.
4. **Legal Action**
If the violation is not corrected by the first meeting of the Board of Directors subsequent to the thirty day grace period after the third notice, the Board shall consider the issue at such meeting. Upon majority decision by the Board, WHA, Inc. legal counsel shall be empowered to take whatever legal actions are prudent and necessary to correct the violation and recover attorney's fees and other related reasonable costs incurred by WHA, Inc.