

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
CANYON CREEK HOMEOWNERS ASSOCIATION, INC.**

The undersigned are all of the members of the Board of Directors (the "Board") of the Canyon Creek Homeowners Association, Inc. (the "Association").

WHEREAS, pursuant to the Amended and Restated Declaration of Restrictions and Homes Association Declaration (the "Declaration") of the Association, Section 2.4.1 (k) of the Declaration provides that the Association shall have the right, power and authority, in its discretion, whenever, in its discretion, it may be necessary or desirable, to "adopt and enforce reasonable rules, regulations and restrictions which shall govern the use of Common Facilities and Lots; preserve or enhance the quality or appearance of the Neighborhood, or the safety, convenience, benefit and enjoyment of the users thereof; or otherwise to promote the interests of Owners, tenants and occupants of land within the Neighborhood";

WHEREAS, Section 8.1.12 of the Declaration provides that nothing shall "be done which may be or become an annoyance or a nuisance to residents of the Neighborhood or any part thereof";

WHEREAS, Section 8.1.10 of the Declaration provides that the Board "shall have the right to establish reasonable rules regarding the hours of use of basketball goals and any such rules shall be binding upon all of the Lots and the Owners";

WHEREAS, Article VIII Section 1 (b) provides that the Board shall have the power to exercise for the Association all powers, duties and authority vested in or delegated to this Association including those referred to in the Declaration, except those reserved to the Owners.

WHEREAS, noise generated by early morning and late evening basketball play within the Neighborhood has been a nuisance to some Owners;

WHEREAS, the Board has determined that reasonable rules to limit the hours of use of basketball goals within the Neighborhood are necessary to reduce noise that is an annoyance and nuisance to residents of the Neighborhood;

WHEREAS, the Board issued a Resolution on June 11, 2015 which limited hours of use of basketball goals on all Common Facilities and Lots in the Neighborhood to the hours of 9:00 a.m. to dusk, and has determined that such hours of play shall be more definitively established;

WHEREAS, the Board has determined that the policy for issuing fines shall be expanded to include violations of the hours of use restriction that pertains to use of basketball goals located on Common Facilities; and

WHEREAS, Section 7 of the By-Laws provides that prior to the Turnover Date, instead of meeting, the Board may act by unanimous consent as documented in a record authenticated by all its members.

NOW, THEREFORE, the Board has resolved to revise rules and fines regarding hours of use of basketball goals by unanimous consent and the Secretary of the Corporation shall promptly give notice to all Owners of this action:

**HOURS OF USE OF BASKETBALL GOALS. Use of basketball goals on all Common Facilities and Lots in the Neighborhood is limited to the hours of 9:00 a.m. to 9:00 p.m.**

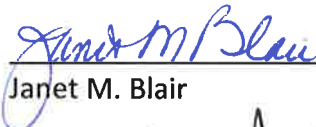
**FINES. In the event of a violation of the hours of use restriction, the Owner of the Lot where the offense shall occur or, in the case of a violation of the hours of use restriction for basketball goals located on Common Facilities, the Owner of the Lot where a violator resides, shall be subject to a fine of \$25.00 for each violation, and in the event of a repeated violation, a fine of \$50.00 for each violation, all to be imposed in the sole discretion of the Board. All such fines shall be treated as an Assessment against the Owner of the Lot where the offense shall occur or the offender resides and shall be enforceable as provided in the Declaration.**

**OTHER REMEDIES. The Board expressly reserves all other rights and remedies available at law or equity provided in the Declaration or by applicable law to enforce the foregoing rules, including but not limited to the right to obtain an injunction to prevent the breach of, or to enforce the observance of, and/or sue for damages as a result of the violation and court costs, attorneys' fees and other fees and expenses.**


FURTHER RESOLVED, that the foregoing rule shall take effect immediately are hereby authenticated by the Members of the Board.

APPROVED THIS \_\_\_\_ DAY OF SEPTEMBER, 2015.

Approval of Board of Directors:

  
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Janet M. Blair

  
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Clay C. Blair, III

  
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Frank J. Dean, III