

(The text below is proposed language that would, if approved by the Board, be inserted on page 9 of the CCRA Declaration (CC&R's) to comprise new Section 14 of the document.)

Section 14: Rights of the Association

Created and Approved By Casita Colony Recreation Association

Created: September 19, 2023

Modified:

Section 14a. Association's Rights and Powers as Set Forth in Articles and By-Laws.

In addition to the rights and powers of the Association set forth in this Declaration, the Association shall have such rights and powers as are set forth in its Articles and By-Laws. Such rights and powers, subject to the approval thereof by any agencies or institutions deemed necessary by Developer, may encompass any and all things which a natural person could do or which now or hereafter may be authorized by law, provided such Articles and By-Laws are not inconsistent with the provisions of this Declaration and are necessary, desirable or convenient for effectuating the purposes set forth in this Declaration.

Section 14b. Association's Rights of Enforcement of Provisions of this and Other Instruments.

The Association shall have the standing and right to enforce the provisions of this Declaration, the Articles of Incorporation, the By-Laws, and the Association Rules & Regulations, the provisions of any other recorded document pertaining to any Lot or Lots, and any document that was intended to be enforced by the Association or by the Developer.

The Association may use any reasonable methods for enforcement that are available to the Association, whether available by law, in equity, or by the Association's governing documents.

If the Association takes such enforcement action, whether or not suit is filed, its costs in doing so, including but not limited to, reasonable attorney's fees, court costs, out of pocket expenses, costs of investigation, and other expenses related to the enforcement, together with interest thereon from the date the costs are expended at a rate equal to twelve percent (12%) per annum, shall constitute a lien on all Lot(s) owned by the Owner or Owners against whom action is taken (or against whose occupants the action is taken), which lien shall have the priority and be enforced in the manner described in Article VIII of this Declaration. In addition to being secured by a lien, said costs including but not limited to, reasonable attorney's fees, court costs, out of pocket expenses, costs of investigation, and other expenses related to the enforcement, shall also be the personal obligation of the Owner or Owners against whom such action is taken (or against whose occupants the action is taken).

In the event suit is filed, the Association as the prevailing party shall be entitled to recover, in addition to any other remedy, an award of its costs including but not limited to, reasonable attorney's fees, court costs, out of pocket expenses, costs of investigation, and other expenses related to the enforcement,

said amounts being not only the personal obligation of the Owner or Owners against whom such action is taken (or against whose occupants the action is taken), but also secured by a lien against the Lot(s) owned by the Owner or Owner(s) against whom the action is taken (or against whose occupants the action is taken).

Further, any Owner or Owners shall have the standing and right to enforce the provisions of this Declaration, the Articles of Incorporation, the By-Laws, and the Association Rules & Regulations against any other Owner or Owners, and the prevailing party or parties in action to enforce any such provisions shall be entitled to recover from the other party or parties its or their costs in such action, including reasonable attorney's fees, together with interest thereon at the rate of twelve percent (12%) per annum, and shall further be entitled to have such costs (including such interest) included in any judgment awarded to the prevailing party or parties in such action.

Failure by the Association or by any Owner to take any such enforcement action shall in no event be deemed a waiver of the right to do so thereafter.