

VICTORIA VILLAGE HOMEOWNERS & TENANTS HANDBOOK

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VICTORIA VILLAGE

LOCATION AND DESCRIPTION

VICTORIA VILLAGE is a townhome development located at the corner of South Kipling Street (Old Kipling Blvd) and West Dartmouth Avenue, in the City of Lakewood, Jefferson County, Colorado. The main street in the development is West Cornell Place, with house numbers ranging from 9557 through 9998. There are 19 buildings in Victoria Village, with a total of 187 town house units. Amenities include an outdoor swimming pool and wading pool, and use of the common areas.

The property was developed by the Pulte Home Corporation, with construction beginning early in 1982 and completed in 1983. The Victoria Village Homeowners Association was incorporated by the developer in June 1981; the first homeowner Board of Directors was elected in April 1983.

A COVENANT-CONTROLLED COMMUNITY

Victoria Village is a covenant-controlled community governed by the Victoria Village Homeowners Association, Inc., which adheres to the provisions of the Articles of Incorporation (June 1981), the By-Laws (August 1982), the Declaration of Covenants, Conditions and Restrictions (August 1982), and other rules, regulations and resolutions as established by the Board of Directors. Victoria Village is governed by a Board of Directors elected by homeowners.

WHAT DO YOU OWN AT VICTORIA VILLAGE?

Unfortunately, none of the official Victoria Village documents clearly states exactly what property a homeowner privately owns. The interpretation (of the President of the Victoria Village Homeowners Association) is as follows: What is privately owned is "all of the unit inside the threshold of the front door to the threshold of the back door. The slab of concrete which makes up the patio is also owned by the individual, as well as the land under the unit. The use of the patio, however, is subject to conditions mandated by the Association".

". . . The Association [also] owns all of the external structure of the buildings; all grounds including the graveled area; all fences, railings, steps, sidewalks, streets, shrubs, trees, street lights, etc. There is no private ownership of any area external to the buildings except the concrete patio" (Victoria Village Newsletter, 11/83). Exceptions to this description of Association ownership would be homeowner-installed fences, storm/screen doors, and other exterior changes as approved by the Architectural Control Committee.

The undeveloped area north of the development, between Victoria Village and Bear Creek, is an 11-acre park which was dedicated to the City of Lakewood at the time the development was built. The City has determined that this area is to be left in a natural state, which includes seeding of natural grass and wildflowers. The entire Bear Creek area is a natural marsh, and is part of a designated flood plain.

MANAGEMENT OF VICTORIA VILLAGE

BOARD OF DIRECTORS

Victoria Village Homeowners Association is governed by an elected Board of Directors, which establishes rules and policies for the Association and is responsible for enforcing the rules. The present Board has seven (7) members, each of whom serves for a 2-year term. (See By-Laws, Article VII, for detailed information on the composition and responsibilities of the Board of Directors.) The Board of Directors has the authority to contract with a professional Management Company to oversee certain operations of the Association. Since 1985, Hammersmith Management, Inc. has been the selected Management Company.

PROPERTY MANAGEMENT COMPANY

Hammersmith Management, Inc., has been in the business of residential property management since 1981. Currently located at 3609 South Wadsworth, Suite 208, Lakewood, CO 80235.

The Management Company maintains all financial records and conducts financial transactions for the Association, collects Association dues, corresponds with homeowners, solicits bids for the Association, and carries out the directives of the Board of Directors.

IMPORTANT NAMES AND PHONE NUMBERS

Hammersmith Management, Inc.	980-0700
Emergency Police and Fire	911

IMPORTANT INFORMATION FOR HOMEOWNERS AND RENTERS

EMERGENCY PHONE NUMBERS

In an emergency, Lakewood Fire and Police can be reached by dialing 911. To report a crime or other incident which is not an emergency, call the Lakewood Police at 987-7111. To report a fire, you may also call the Lakewood Fire Protection District at 233-4651.

CITY OF LAKEWOOD

Lakewood City Government offices, including the City Clerk, Municipal Court, and Public Works Department, are located at 445 S. Allison Parkway.

JEFFERSON COUNTY

The Clerk and Recorder of Jefferson County, as well as the County Court and the County Attorney, are located at 1700 Arapahoe in Golden. Marriage licenses are also obtained at this office. The District Attorney's office is at 1726 Cole Blvd. in Golden. Jefferson County Health Department, at 260 Kipling Blvd. in Lakewood, can be reached at 232-6301.

VOTING INFORMATION

Victoria Village is located in Jefferson County Precinct P62235, and City Ward #5. Polling places vary, depending on the type of election being held. If you are a registered voter, and your voting address is current, you will receive notification of the date, type and location of each election. Voter Registration is handled at the City of Lakewood Administrative Office, 445 S. Allison Parkway (987-7080).

DRIVERS LICENSE & MOTOR VEHICLE REGISTRATION

For information on Drivers License Examination & Testing, call 534-1230. Vehicle License Plates can be obtained at 3255 S. Wadsworth Blvd. (277-8460).

PUBLIC SCHOOLS

Victoria Village is located in Jefferson County School District No. R-1. The closest public schools are Bear Creek Elementary, Carmody Middle School, and Bear Creek High School.

POSTAL SERVICE

Victoria Village (Zip Code 80227) is served by the Bear Valley Post Office, located at 7555 W. Amherst Ave.. Technically, the City of Lakewood does not have its own separate Zip Codes; so the local Post Office is a branch of the Denver Post Office. Homeowners are issued two (2) keys to their unit mailbox, which is located in one of the three (3) mailbox kiosks--at the west end of the Village, in the center of the Village, and on the east end. There are also letter drop boxes located at the east and west mailbox kiosks. Each mailbox kiosk holds six (6) package pick-up boxes, which can be accessed by a numbered key placed in your mailbox by the postal delivery person.

FOOTHILLS RECREATION & PARK DISTRICT

Victoria Village is a part of the Foothills Metropolitan Recreation and Park District. Homeowners and residents are entitled to use the local park and recreation facilities and to participate in various programs and courses at the lower member rates.

CABLE TELEVISION

Victoria Village is served by the United Artists Cable of Colorado (Customer Service: 790-0900). Our contract with the company provides for only one entry of cable wiring per unit; this entry is to be within one foot (12") of the entry of the telephone cable. Homeowners desiring cable outlets in other areas of their unit will find it necessary to have the cable run inside the unit, either along baseboards, up the corners of walls, or through the internal walls. (VVHOA Newsletter, 2/84)

TRASH PICK-UP

Trash (garbage) is collected once a week in Victoria Village. Currently, pickup is scheduled for 7:15 a.m. on Wednesday mornings. Trash must not be put out before 5:00 p.m. on the night before scheduled pick-up. (See Rules and Regulations for additional information.)

Whenever there is a designated Monday holiday, trash pick-up will be delayed until Thursday morning. These Monday holidays include Memorial Day (May), Independence Day (July), Labor Day (September); and may also include Christmas and New Year's Day, if these fall on a Monday. Check with the Management Company if you are not sure about holidays.

SWIMMING & WADING POOLS

The swimming and wading pools are for the use of Victoria Village residents and their guests only. All homeowners who are current on their Association fees will receive a pool entrance key annually. Renters should contact the owner of their unit to obtain the key. Please do not open the pool gate to persons who do not have keys. The lack of a key means that those individuals are not authorized to use the pool. The doors to the rest rooms inside the fenced pool area use the same key as the perimeter fence. Please obey the pool rules (see Rules and Regulations) to ensure enjoyment for all.

BULLETIN BOARDS

Bulletin boards are located at each mail kiosk, for the use of Victoria Village residents only. You are welcome to post notices of personal items for sale, lost or found animals, requests for child care, and notices of activities or services which may be of interest to your neighbors. Notices must be dated and may be posted for a total of 2 weeks. The bulletin boards are not intended for commercial advertising; if such items are posted, they may be removed by a representative of the Board or the Management Company. (VVHOA Newsletter, 12/83)

VICTORIA VILLAGE HOMEOWNERS NEWSLETTER

The Board of Directors prepares and distributes a quarterly newsletter to all Victoria Village homeowners. If you are not receiving the newsletter, please notify the Management Company.

PARKING AND VEHICLE MAINTENANCE

Victoria Village residents have one (1) assigned parking space per unit, which is marked by Lot number--which is not the same as the unit address (see Plat Map). All other spaces are available on a first-come basis, regardless of the proximity of that space to a particular unit. Any non-numbered parking space may be used for additional homeowners' vehicles, as well as visitor parking. There are far more open parking spaces at the west end of the Village than at the east end; use these whenever possible.

Inoperable vehicles, trailers, boats, motor homes and commercial vehicles are restricted from the routine use of the parking areas.

Parking in Victoria Village is governed by Rules and Regulations and by the Declarations of the Association. Parking restrictions are specifically outlined in other sections of this handbook.

The Lakewood Police Department has designated emergency access areas with signs stating "NO PARKING; FIRE LANE." Cars will be ticketed and may be towed if parked in these areas.

Cars may be washed in the parking area; but please use a nozzle which shuts off when not in use, to save water. (8/85)

EXTERNAL LIGHT FIXTURES

The bulbs in all exterior light fixtures mounted next to the door of each unit should not exceed 60 watts. It is recommended that only 40 watt bulbs be used. Only white or yellow bulbs are permitted. (VVHOA Newsletter, 5/15/89)

UNWANTED ANIMALS

To keep the dogs, cats, raccoons, skunks, and coyotes from tearing up your trash bags, add a cup of household ammonia or vinegar or bleach, or put a liberal dose of pepper on the top. Don't leave pet food outdoors. Put all garbage and trash bags into plastic or metal trash containers with lids. Be sure to bag your trash in heavy duty trash bags and close the tops securely.

Caution: Be extremely careful if you encounter a skunk during daytime, or if you find one that is unusually aggressive. This abnormal behavior may be an indication that an animal is rabid. Also, skunks have been known to attack and kill domestic cats. If you value your cat (and want to avoid a violation of Victoria Village rules), don't let it outside if it is not on a handheld leash.

GARAGE/YARD/PATIO SALES

Garage, yard and/or patio sales by individual residents are prohibited at Victoria Village. However, the City of Lakewood ordinances authorize the Board of Directors of Victoria Village to approve a limited number of yard or garage sales per year. Please notify a Board member if you are interested in scheduling a community-wide yard sale.

SOLAR ENERGY DEVICES

Solar heat may not be very cost-effective for Victoria Village residents, given the size, construction, and characteristics of our homes. However, if you are interested in solar energy devices, be sure to ask a few questions before signing on the dotted line. For example, how will you benefit from the installation? In most cases, it can only heat water--not the rest of the unit, since we use gas furnaces instead of hot water heat. What will be your actual cost savings? The estimates we have heard are \$10-\$15 per month on a Victoria Village townhouse. How long are you planning to live in your townhouse? At this rate, it could take at least 20 years to recover your initial costs, much less to show a savings. Will the solar installation substantially increase the resale value of your home?

The Architectural Control committee must make decisions about requests for installing any solar energy device; and such approvals are not frequently granted. Take a look around our community and imagine solar panels--of various sizes and designs--sticking up every which way. Think also about the potential cost to the entire community for repairing roofs if installations are done improperly. After all, individual homeowners don't actually own the roofs of their units; we all contribute to the cost of upkeep on the roofs.

WINTERIZING YOUR HOME

Is your home ready for Winter? There are a number of things that should be done before the cold weather sets in.

Exterior Faucets and Hoses. Make sure that any hoses are disconnected from the exterior faucet (usually located at the back of the unit). Hoses should be stored indoors to prevent damage due to excessive cold. The exterior faucets are freeze-proof, but only if there is not a hose connected.

Prevent Frozen Water Pipes. Frozen water pipes can result in extensive water damage to the inside of the unit, which will be the owner's responsibility to repair. If you are leaving your unit for several days during the winter, be sure not to turn down your thermostat too low; a minimum heat of 50° will protect the water pipes from freezing. If the temperature is expected to be as low as than 15-20°, leave your cupboard doors open to let warm air circulate where water lines run. If the temperature is expected to be 0-15°, leave cupboards open and let a trickle of water run from a faucet or two, especially those which have pipes along a north or west exposure. If there is a chance the temperature may be below 0° for any length of time, turn your thermostat up 5-10 degrees, leave water trickling and leave cupboards open. Find out where your water shut-off valve is, in case you need it. Be sure to leave a key with someone who will check on your unit while you are away.

Furnaces. The furnaces installed in Victoria Village units have motors which require that the bearing be oiled every five (5) years. If yours has never been oiled, or you don't know whether it has, now is a good time to have it checked. Also, the furnace and its filter should be cleaned periodically for efficient heating. If your furnace has a washable, plastic-mesh filter, you need to wash it and replace it each year. If you prefer, you can also replace it with the appropriate size disposable filter, available at most discount stores. Get a professional to clean and service the furnace.

Water Heaters. Water heaters need to have the expansion valve opened annually. Now is a good time to do that. The water should run through the valve for at least 30 seconds to clear any debris or mineral deposits from the valve seat.

Using Your Fireplace Safely. The following suggestions were offered by the installers of the WOODSIDE FIREPLACES:

- Build a small fire the first time you use the fireplace each season, to be sure that there is no moisture present in the firebox.

- Make sure the damper is open when building a fire. The damper is controlled by the wooden knob in the center of the firebox, and is open when the wooden knob is horizontal. CLOSE THE DAMPER (vertical) when the fireplace is not in use.

- Make sure the air inlets are open when the fireplace is in use. The air inlets are controlled by the brass knobs at the bottom of the firebox, one on each side. Pull these knobs out to open. Push in to close when fireplace is not in use.

- Use a grate to build a fire on. Building a fire directly on the bottom of the firebox may cause damage.

- Have firescreens closed at all times to prevent sparks from entering room.

- Keep glass doors open with a medium to large fire.

- Check to see if your fireplace has a blower, to make use of the heat from the fireplace. This would be located behind the bottom louvers, with the switch at the bottom right hand side. The blower is most effective after the fire has been burning for 30-40 minutes.

- Call a chimney cleaning service to ask about having the chimney professionally cleaned to maintain fire safety.

Firewood. Be sure that your firewood is not stored on the Common Area or in contact with any wood portion of the building, including decks and fences. The rule is that there must be at least three (3) inches of clearance between the stacked firewood and the building (see Rules and Regulations). This provision is meant to protect the unit from insect infestation. Much of the firewood harvested in Colorado is infested with the pine beetle, which can get into the wood of the buildings and cause considerable damage to the structure.

Wood-burning Ban in Lakewood. The City of Lakewood has adopted an ordinance to ban wood-burning on high pollution days. This ban is in effect from November 1 through January 31 each year (subject to future change of dates). The ordinance covers all solid fuel burning, but excludes gas logs and barbecue grills. It is the responsibility of each Victoria Village resident to know whether or not a high-pollution day has been identified by the Colorado Department of Health. You can call the City of Lakewood (987-7517) or the Health Department (322-9075) for a taped message on pollution conditions. High pollution days are also widely broadcast on television and radio, and identified in weather forecasts.

Conversion of Wood-burning Fireplaces to Gas. The City of Lakewood will issue permits allowing the installation of natural gas logs in the "Woodside" fireplaces installed at Victoria Village. Such approval is given with the provision that the homeowner signs a statement that the installation will be approved by a certified Mechanical Engineer or the Public Service Company. (VVHOA Newsletter, 2/15/90)

RENTING OR SELLING YOUR TOWN HOUSE

Beware of Equity Skimmers. Unfortunately, equity skimming is still being practiced by people who have no respect for others. Basically, an equity skimmer assumes a homeowner's mortgage, but does not make any mortgage payments or pay Association dues. Usually, he or she will then rent out the unit, collect the rent payments and pocket the money, while continuing to default on the mortgage payments until caught.

If a prospective buyer of your unit seems too eager to assume your mortgage, without showing much concern or asking many questions about the unit, he or she could be an equity skimmer. FHA has not been holding the original mortgage holder responsible in cases of equity skimming; but this policy is subject to change. It is a good policy to check out all prospective home buyers as thoroughly as possible, to insure your own good credit.

A helpful tip: When selling your unit to a buyer who will be assuming the mortgage, make sure you obtain full identification, including the Social Security number, of the buyer. You may want to ask for a photocopy of a driver's license. This information may be extremely valuable if the buyer defaults on the mortgage payments.

Renting Your Town House. Homeowners must file a copy of any lease or rental agreement, at the office of the Association's Management Company (see Rules and Regulations). You are also responsible for providing your renters with a complete copy of the Association By-Laws, Declarations, and Rules and Regulations. The homeowner is ultimately responsible for any violations made by renters.

RENTERS' RESPONSIBILITIES, RIGHTS AND PRIVILEGES

Responsible renters are always welcome at Victoria Village. As a tenant here, you are subject to the same rights, privileges and responsibilities as a homeowner. IT IS YOUR RESPONSIBILITY TO BE FAMILIAR WITH RULES AND POLICIES GOVERNING VICTORIA VILLAGE RESIDENTS. Be aware that the owner of your townhome will be subject to warnings, fines and penalties for inappropriate actions on your part. This may be grounds for discontinuing your lease.

Your ideas and suggestions are welcome. It is possible for a renter to serve on the Board of Directors. However, if you feel you cannot commit that amount of time and energy, feel free to contact a Board member at any time if you have questions or good ideas. The owner of your unit will be receiving the Victoria Village Newsletter periodically by mail. If you also wish to have a copy mailed to you at your Victoria Village address, call the Management Company.

Beware of Equity Skimmers! From a renter's perspective, an equity skimmer presents a real danger. If the person you think is the homeowner is actually not making regular payments on the mortgage and Homeowners' Association dues, you may find yourself suddenly evicted if the unit goes into foreclosure. If your landlord asks that the rent be paid in cash, or if you are not offered a lease on the unit, you may be dealing with an equity skimmer. Feel free to call the Management Company to find out if your landlord is in default on Association dues, or if the unit is in foreclosure.

YOUR ASSOCIATION BUDGET

PURPOSE OF ASSESSMENTS

The Victoria Village Board of Directors is authorized to collect from each homeowner an annual Assessment which is used to cover capital improvements; maintenance of grounds and common area structures; insurance; and shared services such as water, sewer and trash pick-up; as well as to provide a reserve fund for replacement, repair, and/or maintenance of common area structures and streets. (See By-Laws, Article IV, Section 2 (c), and Declarations, Article IV.)

HOW THE ASSESSMENT IS DETERMINED

Each year, the Board reviews actual expenditures of the Homeowners Association (see Sample Budget on p. 16), as well as any new information regarding current and projected costs. A draft budget for the next calendar year (January - December) is prepared early in the Fall, and is revised as needed before November. At the November Board meeting, the budget for the following year is approved and the amount of the annual Assessment is determined. There is a limit on the amount the Assessment may be increased from year to year. (Declarations, Article IV, Section 3.) Each Victoria Village homeowner is provided a copy of the budget by mail, and is notified no later than December 1st of the amount of the Assessment (also called "Association Dues") for the following year. Homeowners are given the option to pay the annual Assessment in monthly increments, which are due on the 1st day of each month.

WORKING CAPITAL FUND

Each new homeowner is assessed a one-time fee which goes into the Working Capital Fund. The amount of this assessment is twice the monthly Association dues at the time the new owner buys a Victoria Village unit. For example, during 1991, the monthly Association dues are \$94, and the Working Capital assessment is \$188, paid at the time of purchase.

SAMPLE BUDGET

VICTORIA VILLAGE HOMEOWNERS ASSOCIATION ANNUAL BUDGET, Jan-Dec 1992

	AMOUNT	PERCENT
TOTAL DUES (@ \$97/MONTH)	217,670	100%
EXPENSES:		
Bad Debt Expenses	6,500	2.90
Management Fee	17,952	8.00
Legal Fees/Collection Costs	8,000	3.57
Audit Fees	1,000	0.45
Printing and Postage	3,500	1.56
Education and Dues	750	0.33
Income Taxes	600	0.27
Insurance	13,000	5.79
Electricity/Common Area	3,500	1.56
Water	30,000	13.37
Sewer	8,900	3.97
Landscape Maintenance/Contract	35,000	15.60
Plants, Trees, and Shrubs	2,500	1.11
Landscape Improvements	1,000	0.45
Sprinkler Maintenance	5,000	2.23
Common Grounds Care/Misc.	5,400	2.41
Fence Maintenance	600	0.27
Signs	500	0.22
Snow/Ice Removal	8,000	3.57
Pool Expense	5,000	2.23
Misc. Building Maintenance	7,500	3.34
Exterior Lighting Maintenance	1,200	0.53
Plumbing Repairs	500	0.22
Sewer Repairs & Clean Out	400	0.18
Pest Control	900	0.40
Trash Removal	7,500	3.34
Misc.	988	0.44
TOTAL OPERATING EXPENSES	175,690	78.29
NET OPERATING CASH FLOW	41,980	18.71
RESERVES		
Transfers to Reserves	39,600	17.65
Replenish Working Capital	2,380	1.06

ASSESSMENT RATES & PAYMENT TERMS

ASSOCIATION NAME: Victoria Village Homeowners Association

FED. TAX ID: 84-0882023 FISCAL YEAR ENDING: 12/31/92

RESOLVED, that the Annual Assessment levied against each unit/lot for the fiscal year stated above, and the monthly installment payment thereof, shall be as follows:

<u>Class of Unit/Lot</u>	<u>Annual Assessment</u>	<u>Monthly Assessment</u>
ALL	\$1,164.00	\$97.00

BE IT FURTHER RESOLVED,

That the Annual Assessment shall be payable in twelve (12) equal monthly installments, so long as each installment is paid in full and received on or before the first day of each month to which it applies;

That any installment not paid in full by the last day of the month in which due, shall be subject to a late charge in the amount of \$10.00, and interest charges of 12% per annum on any unpaid balance;

That any delinquent installment, late charge, and/or interest charge which remains unpaid as of the last day of the following month shall subject the unit/lot owners to an official notice of intent to accelerate the remaining unbilled balance of the annual assessment and [shall] provide for a specific period [of time] to cure the default;

That if any installments, late charges, interest charges, and/or collection costs remain unpaid 30 days following the date of the official notice of intent to accelerate, then the remaining unbilled installments for the fiscal year shall become immediately due and payable;

That if such accelerated amount plus any unpaid charges or collection costs remain unpaid 30 days after mailing an official notice of such acceleration, a lien shall be prepared and filed with the recording officer of the county in which the property is located, and the owner(s) of the unit/lot shall be charged the costs incurred by the Association in preparation and filing of such lien; and

That a copy of the lien as recorded, along with the unit/lot owner's statement of account, shall be referred to an attorney for immediate suit for foreclosure, money judgment and/or other remedies provided by law.

ENACTED at the Board of Directors meeting this 15th day of October, 1991, by the Board of Directors of the Victoria Village Homeowners Association.

* * * * *

SPECIAL ASSESSMENTS

In addition to the annual Assessment described above, the Victoria Village Board of Directors is authorized to make additional "Special Assessments" in any given year, either for Capital Improvements or Insurance costs not covered by the annual Assessment. (See Declarations, Article IV, Sections 4 and 5). To date, the Board and Management Company have carefully managed the Associations' finances, so that no Special Assessments have been needed.