When Recorded, Return To:

Maxwell & Morgan, P.C. 4854 E. Baseline Road, Suite 104 Mesa, AZ 85206

## VERDANTE AT WESTLAND ESTATES PROPERTY OWNERS ASSOCIATION

Board Resolution - Maintenance, Repair, Upkeep of Improvements Within Area of Association Responsibility

WHEREAS, the Verdante at Westland Estates Property Owners Association (the "Association") is governed by the Declaration of Covenants, Conditions & Restrictions for Verdante at Westland, recorded at Document No. 97-0717178, and First Amendment to Declaration of Covenants, Conditions & Restrictions recorded at Document No. 2003-0397032, and any other amendments thereto (the "Declaration"),

WHEREAS, Section 1.4 of the Declaration defines "Area of Association Responsibility" ("AoAR") as "(a) all Common Area (except for the outside 8.5 feet upon each side of Tract "A" according to the Plat; and (b) all land, and the Improvements situated thereon, located within the boundaries of a Lot (or said 8.5 foot strip) which the Association is obligated to maintain, repair and replace pursuant to the terms of this Declaration or the terms of another recorded document executed by the Association . . . . "; and

WHEREAS, recently the Association, pursuant to Section 1.4 of the Declaration, adopted a Board Resolution recorded at Document No. 2016-0197371 related to its desire and intent to perform maintenance responsibilities of trees it planted in the 8.5 foot strip on each side of Tract "A" and such other landscape maintenance and upkeep the Association intended perform and undertake within that 8.5 foot strip on each side of Tract "A", thereby becoming an AoAR;

WHEREAS, the Association has determined that it wishes to perform certain, limited mailbox maintenance, repair and replacement, the mailboxes being Improvements located within the 8.5 strip on each side of Tract "A" and/or upon the Lot of each Owner;

NOW THEREFORE, the Association hereby resolves as follows:

1. Commencing January 2017, the Association will be responsible and perform the following limited mailbox maintenance and upkeep, said mailboxes located in the 8.5 foot strip on each side of Tract "A" and/or upon a Lot of each Owner: (a) mailbox light bulb upkeep, repair and replacement, (b) mailbox light photo cell maintenance, repair and upkeep, and (c) mailbox transformer maintenance, repair and upkeep, all of which shall also collectively be referred to as the "Mailbox Above Ground Components".

- 2. Commencing January 1, 2017, the Mailbox Above Ground Components are now considered an AoAR;
- 3. The Association has determined that before it will assume the maintenance, repair and upkeep of the Mailbox Above Ground Components as an AoAR, Owners must ensure at a minimum that all of the following are operational and in good working order: (i) the mailbox light bulb; (ii) transformer; (iii) photo cell; (iv) main power supply transformer; and (vi) any other Mailbox Above Ground Components the Association may advise the Owners must be repaired or replaced in order to become an AoAR. The Association has communicated and/or will have communicated this condition precedent to the Owners of Lots within the Association prior to January 1, 2017 and the Association has also offered Owners the option for the Association to repair/replace any non-operational lights, with said Owners reimbursing the Association for said expenses, and any unreimbursed amounts being treated like an unpaid assessment per Articles 6.9.2, 7.3, and/or 7.4 of the Declaration;
- 4. The Association is undertaking no other maintenance, repair or upkeep obligations related to mailboxes located on a Lot or within the 8.5 foot strip on each side of Tract "A". The Owners of the Lot related to each individual mailbox shall remain responsible for all other mailbox maintenance, repair, and upkeep, and likewise remain subject to any and all Architectural Committee approval requirements imposed under Article 5.10 of the Declaration and the Architectural Guidelines.

## **CERTIFICATION**

VERDANTE AT WESTLAND ESTATES PROPERTY OWENRS ASSOCIATION

Name Lynn 1A, (ARISON)  Signature  Its: President
STATE OF ARIZONA )
County of Maricopa ) ss.
On this 14th day of December, 2016, before me personally appeared whose identity proved to me on the basis of Satisfactory evidence to be the person whose name is subscribed to this document, and who acknowledged that he/she signed this document.
Sezan Almalih Notary Public Maricopa County, Arizona

My Commission Expires