

**ARBOLEDA RANCH HOMEOWNERS' ASSOCIATION  
BOARD OF DIRECTORS RESOLUTION**

This Resolution is hereby adopted by a majority of the Board of Directors ("Board") for the Arboleda Ranch Homeowners' Association ("Association") this 15<sup>th</sup> day of June, 2022 and is effective as of the date of adoption.

**RECITALS**

**WHEREAS**, the Property is governed by the Declaration of Covenants, Conditions and Restrictions for Arboleda Ranch recorded with the Office of the Maricopa County Recorder at Document No. 2009-0790400 and any amendments or other declarations recorded thereafter ("CC&Rs"), the Association's Bylaws, the Plat Map, Architectural Committee Rules, Association Rules, and resolutions and policies of the Association (collectively referred to as "Project Documents").

**WHEREAS**, Section 9.5 of the CC&Rs provides that the Board has the exclusive right to construe and interpret the provision of the CC&Rs.

**WHEREAS**, unless otherwise stated herein and attached to this Resolution, any capitalized terms set forth herein shall have the same definition as found in the Association's Project Documents.

**WHEREAS**, the Association's Board of Directors seeks to clarify certain maintenance obligations of the Association and Owners and seeks to interpret language contained in Section 4.6 of the CC&Rs.

**THEREFORE, BE IT RESOLVED** that the Board of Directors of the Association pursuant to the CC&Rs hereby adopts the following:

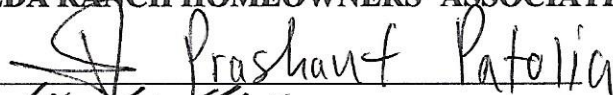
1. An easement exists on each Lot extending 10 feet from the edge of the street onto the Lot and is referred to as the Public Access and Landscaping Easement Area (referred to herein as the "Easement Area").
2. The Association has the obligation to maintain, repair and replace all vegetation and landscaping in the Easement Area and is charged with maintaining and repairing the sidewalks in the community. However, an Owner shall be responsible for any damage caused to these areas by the Owner, their guests or invitees.
3. Section 4.6 of the CC&Rs references "Declarant planted and irrigated trees within the lot" and refers to this portion of a Lot as a "Tree-Lined Area." The Board interprets this language applies to any trees that were planted on each Lot by the Declarant with an accompanying irrigation system for the trees installed by the Declarant. The Board has determined that no such tree exists on any Lot in the community and there are no Tree-Lined Areas on any Lot.
4. The Board further clarifies that each Owner, in accordance with Section 7.2 of the CC&Rs, is obligated to maintain, repair and replace the grass, shrubs, hedges, trees and all other landscaping on the Lot unless located in the Easement Area.

5. As of the date of this Resolution, Owners are prohibited from planting Sissoo trees on a Lot or anywhere in the community.

6. In the event a Sissoo tree located on a Lot outside the Easement Area causes damage to any property owned or area maintained by the Association, the Owner shall be responsible for said damage.

This Resolution was passed this 15<sup>th</sup> day of June, 2022, by a majority of the Board of Directors for the Association as evidenced by signatures below.

**ARBOLEDA RANCH HOMEOWNERS' ASSOCIATION**

By:  Prashant Patolia

By:  John Bilhrey

By:  Jeffrey Sumpter

By: \_\_\_\_\_

By: \_\_\_\_\_