

RESOLUTION 2007-06
OF THE BOARD OF DIRECTORS
OF
PAGOSA LAKES PROPERTY OWNERS ASSOCIATION, INC.
Pertaining to Definition of Inoperable Vehicles and Implementation thereof

Whereas, Resolution 2005-10 of The Board Of Directors of the Pagosa Lakes Property Owners Association, Inc., entitled “Adoption of policy regarding adoption and amendment of policies, procedures, and rules” was adopted the 8th day of December 2005 by the PLPOA Board of Directors, states the following:

Whereas, the Declarations of Restrictions for Pagosa Lakes subdivisions recorded with the Clerk and Recorder of Archuleta County, Colorado, and which are subject to certain provisions as contained in the Colorado Common Interest Ownership Act of 1991 have granted the Association the right to create Rules and Regulations for owners within the Association, and;

Whereas, Colorado Senate Bill 05-100 was signed into law by the Governor of the State of Colorado on June 6, 2005 and;

Whereas, Colorado Senate Bill 05-100, Section 38-33.3-209.5, Responsible governance policies, states:

To promote responsible governance, associations shall: adopt policies, procedures, and rules and regulations concerning procedures for the adoption and amendment of policies, procedures, and rules, and;

Whereas, Master Declaration of the Pagosa Lakes Property Owners Association was filed for record with the Archuleta County Clerk and Recorder’s office on June 24, 1970 at Book 122, Page 224, Reception No. 73297 and any supplements of amendments thereto, and;

Whereas, the Master Declarations, Article 7, General Prohibitions and Requirements, Section H states: “No stripped down, partially wrecked, or junk motor vehicles, or sizable part thereof, shall be permitted to be parked on any street in the Subdivision or on any lot.” and;

Whereas, similar restrictions for stripped down, partially wrecked, or junk motor vehicles, or sizable part thereof, are noted in Declarations for other subdivisions within the Pagosa Lakes Property Owners Association;

Whereas, the Association has not previously defined inoperable vehicles,

Now therefore, The Pagosa Lakes Property Owners Association (PLPOA) herein defines an inoperable vehicle for the purpose of Rules and Regulations enforcement of the language contained in the Declarations as noted above and adopts the following procedures for notice and implementation of such Rule and Regulation.

1. Definition

“Inoperable vehicle- any vehicle (vehicle- any conveyance for transporting people or goods) legally unable to be operated on a public road, shall NOT be permitted to be kept outside on any lot.

NO outside vehicle or trailer parking or storage or parts thereof is allowed on unimproved, originally platted lots. The fine for noncompliance is \$200.00 per violation as well as the requirement to correct the violation.”

2. Notice Provision

A. Notice of this definition and process for its implementation and inclusion within the Rules and Regulations for the Association shall be published in the Winter 2007 and Spring 2008 editions of the Newsletter for the Pagosa Lakes Property Owners Association, which shall be mailed to each property owner within the Association.

B. A reminder of the implementation of this policy and procedure will be included in the mailing of the Annual Assessment Notice, to be mailed in the first week of January 2008.

C. Upon adoption of this Resolution, notice of this policy will be conspicuously posted at the Association administrative offices and at the Recreation Center and on the Association web site.

D. Notice of this policy shall be published in the Pagosa Springs Sun, in a block ad format, on four occasions. Once in November 2007, twice in December 2007 and once in January 2008.

E. Starting forty-five days prior to implementation, and continuing up to the implementation date, letters will be sent to the unit occupant where an inoperable vehicle is noticed reminding them of the policy and its implementation date.

3. Implementation Date

The implementation date for this policy will be June 1, 2008. The policy will be added to the Association Rules and Regulations as of the implementation date.

THEREFORE; BE IT RESOLVED: Resolution 2007-06 was ADOPTED this 8th day of November 2007 by the Pagosa Lakes Property Owners Association Board of Directors.

President's And

Secretary's Certification: The undersigned, respectively being the President and Secretary of Pagosa Lakes Property Owners Association, a Colorado nonprofit corporation, certify that the foregoing Resolution 2007-06 was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors of the Association on 8 November 2007, and in witness thereof, the undersigned have subscribed their names.

Pagosa Lakes Property Owners Association, a Colorado nonprofit corporation,

By: _____
Gary Gray, President

Attest:
By: _____
Fred Ebeling, Secretary