

Wexford Estates HOA Resolution

*Acceptance of Siena View HOA Storm Water Drainage
Agreement to Share Detention Pond Expenses*

WHEREAS, on Tuesday, November 7, 2017, at a special meeting of the Board of the Wexford Estates Homeowners Association was held; and

WHEREAS Article 5.1 Section A of the Declaration of Covenants, Conditions and Restrictions for Wexford Estates Subdivision specifies that the Association Board maintain and otherwise manage all of the Association property and all facilities, improvements and landscaping thereon; and

WHEREAS Article 2.1 of the ByLaws of the Wexford Estates Homeowners Association specifies that the duty of the Board includes determining the amount of the annual budget (Section D) causing all property owned by the Association to be properly maintained; and

WHEREAS Article 2.13 of the ByLaws of the Wexford Estates Homeowners Association specifies that the Board provides for informal action by Directors with votes taken by email and empowers the officers of the Association to act based on such consent; and

WHEREAS there is a desire for Wexford Estates Homeowners Association to allow Siena View Homeowners Association to share costs associated with local storm water drainage; and

WHEREAS Wexford Estates Homeowners Association is willing to accept and manage the water drainage and storm water of Siena View Subdivision as is required and contemplated by the local jurisdictions and by way of diversion of the same and use of the infrastructure maintained by Wexford; and

WHEREAS it is the intent of the Board of Directors that this resolution remain in effect so long as Siena View Subdivision continues to meet its cost sharing obligations as described herein; and

NOW, THEREFORE BE IT RESOLVED THAT the Board, by unanimous consent of those voting in person or electronically, hereby authorizes Siena View Subdivision to utilize Wexford Estates Homeowners Association infrastructure, including the detention pond facilities, overflow drainage, and connection with the Grand Valley Irrigation District facilities to provide storm water drainage for properties located in Siena View Phase I and Siena View Phase II residents (the Siena View Homeowners Association in its entirety); and

BE IT FURTHER RESOLVED THAT in consideration for accepting the Siena View drainage, the Siena View Homeowners Association will annually pay the Wexford Estates Homeowners Association 25% of all maintenance burdens associated with the annual upkeep and landscaping associated with upkeep for the detention pond, including any fees associated with the Grand Valley Drainage District, electricity costs for pumps used in the pond and for landscaping immediately around the pond, lawnmowing, fertilizer, weeding and other expenses contracted out to keep the common area tract safe and appealing; and

BE IT FUTHER RESOLVED THAT the annual fee shall be paid at the beginning of each calendar year in which storm water drainage will flow into the Wexford Estates Homeowners Association detention pond based on 25% of the total costs paid during the previous year, not including any special assessments paid in advance. If any special assessments are required of Wexford Estates homeowners for expenses related to drainage (for example, a special assessment made by Grand Valley Drainage District upon residents) then the Siena View Homeowners Association would be required to pay its 25% share at the same time as members of the Wexford Estates Homeowners Association, so long as the Siena View Homeowners Association is given reasonable notice ahead of time.

BE IT FURTHER RESOLVED THAT this will take effect subject to City approvals and developer construction timelines, November 15, 2017.

Executed this 7th day of November, 2017.

By: 
Talia Garcia, HOA President