

Siena View HOA Resolution

Relinquishment of Parcel Development Rights Agreement to Allow Phase II Development on Parcel 2943-173-46-009.

WHEREAS, on 31st day, of **May, 2017**, at a special meeting of the Board of the Siena View Homeowners Association was held; and

WHEREAS Paragraph 10.4 of the Declaration of Covenants, Conditions and Restrictions for Siena View Subdivision contemplates future development of Lot 8 and sets a deadline prior to which development must occur; and

WHEREAS Siena View subdivision has a responsibility to keep its facilities maintained and in good order for proper handling of storm water; and

WHEREAS through no fault of its own, as a result of the Grand Valley Irrigation District's arbitrary removal of an overflow pipe, the Siena View drainage pond on *Parcel 2943-173-46-009* was rendered no longer functional and in need of expensive repair, and

WHEREAS the development of Lot 8 and *Parcel 2943-173-46-009* for a Phase II addition of 12 lots created the opportunity to properly manage Siena View storm water by allowing it to flow through to Wexford Estates, and

WHEREAS on September 13, 2017 an Amendment to the Siena View Declaration of Covenants, Conditions, Restrictions and Easements was recorded with the Mesa County Clerk & Recorder allowing for the development of Phase II, and

WHEREAS on November 7, 2017 the Wexford Estate HOA voted affirmatively to allow storm drainage from Siena View into the Wexford Estates storm water detention pond in exchange for a cost sharing agreement, and

WHEREAS Article 2.1.1 section (g) of the Bylaws of the Siena View Homeowners Association specifies that the Board has the obligation to maintain facilities and section 2.13 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 Siena View Homeowners Association to resolve the storm water issue and allow for development of Lot 8 and *Parcel 2943-173-46-009* into 12 individual lots; and

WHEREAS Ted Martin is willing to correct the water drainage and storm water issue 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;

NOW, THEREFORE BE IT RESOLVED THAT the Board, by unanimous consent of those voting in person, by mail or electronically, hereby authorizes Ted Martin to include Lot 8 and *Parcel 2943-173-46-009* in the Phase II development, approves the plans of said development, and relinquishes its own development rights in order 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 conjunction for Ted Martin's purchase, lots once owned for use as the Siena View pond have been conveyed for inclusion in Phase II and the Siena View Homeowners Association approves of their intended use as residential lots as established in the Siena View Phase II plat.

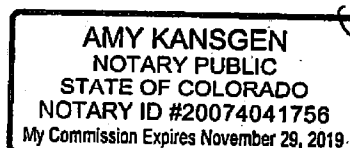
BE IT FURTHER RESOLVED THAT this will take effect subject to City approvals and developer construction timelines, March 1, 2018.

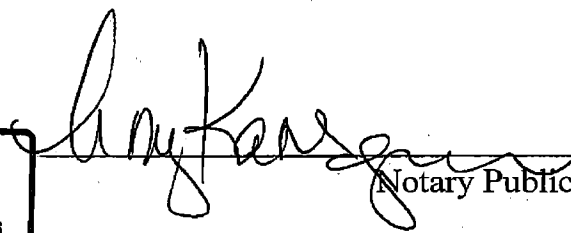
Executed this 1st day of March, 2018.

By: 

Siena View HOA V.P. & Treasurer
Evan Curtis

Date: 02.23.2018




Notary Public