

MEADOW HILLS ESTATES HOME OWNER ASSOCIATION

RESOLUTION REGARDING THE MHE FENCE THAT THE HOA OWNS ALONG HAMPDEN AVENUE

WHEREAS, THE Declaration of Covenants, Conditions, and Restrictions recorded in the real property records of the Clerk and Recorder for Arapahoe County, CO. on May 18, 1992 on Reception No. 9200050947 in Book 6476 on Page 494 in the office of the Clerk and Recorder of Arapahoe County, Colorado, and as further set forth in the Articles of Incorporation for Meadow Hills Estates Homeowners' Association, Inc.; and

WHEREAS, all residences in Meadow Hills Estates are encumbered by, and subject to, the terms and provisions of the Declaration; and

WHEREAS, the Meadow Hills Estates Homeowners Association ("Association") desires to protect and maintain property hereto fore known as, "the fence" that is MHE-HOA community owned property along Hampden Avenue.

WHEREAS, the Association desires to implement a policy to define responsibilities for the ownership, protection and maintenance of "the fence" along Hampden Avenue,

WHEREAS, pursuant to Article 2, Section 2.12, of the Amended and Restated Bylaws of Meadow Hills Estates (2011), the Association may adopt and amend resolutions, policies and procedures regarding the MHE Association;

NOW, THEREFORE, IT IS RESOLVED, the Board of Directors of the Association hereby adopts the following resolution by and on behalf of the Association, effective as of the date set forth below:

1. The Board of Directors and HOA membership approved the replacement of the old Hampden Avenue fence at the Annual Meeting on December 3, 2015 by a vote of 45 to 3 in favor.
2. The Board of Directors charged each homeowner a one-time assessment fee of \$333.00 to build the fence. Additionally, the 8 homeowners whose land the fence is on along Hampden Avenue had paid their actual fence costs (\$4500.00).
3. "The fence" is owned by all members of the Home Owners Association in Meadow Hills Estates and managed by the Board of Directors.
4. All 8 homeowners whose properties the fence is on granted an easement and right of way in perpetuity to the HOA Board of Directors for inspection, repair work, and maintenance of the fence to make sure the fence upholds MHE-HOA community standards.
5. The Board of Directors has the responsibility for keeping in force an up to date insurance policy for coverage on the fence in the event of damage caused by acts of God, or by accidents caused by those without insurance.
6. The City of Aurora owns a six (6) foot easement south from the south sidewalk along Hampden Avenue. Property that is south of that six foot easement belongs to each individual homeowner whose address is numbered along East Hampden Place.
7. Each homeowner whose land the fence is on is responsible to clear away the natural vegetation, weeds, trees, bushes and any other growth or obstacle that obstructs access to or damages the fence in any way. "The fence" is on each individual homeowner's property and as such must be properly maintained by each homeowner except for maintenance to stain the appearance of the HOA fence.
8. Whenever damage to the fence is determined to be caused by a homeowner, the repair to original status is the homeowner's responsibility.
9. The Association may pursue enforcement action against any party or homeowner who damages, fails to maintain, or tampers with the fence according to the rules listed above in this resolution.

Effective this 14th day of Aug. 2020

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PRESIDENT'S CERTIFICATION: The undersigned, being the President of the Meadow Hills Estates Homeowners Association, Inc., a Colorado nonprofit corporation, certifies that the foregoing Resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors on by email in August 2020 and in witness thereof, the undersigned has subscribed their name.

Meadow Hills Estates Homeowners Association, a Colorado nonprofit corporation

By: WJWarkentin

Wm. J. Warkentin, MD

MHE-HOA President