

Resolution #5

The Seasons at Tiara Rado Homeowners Association

Filing 3 Irrigation & Landscape Maintenance as part of the Master HOA Responsibilities

The following relevant definitions are from the original Filing 3 Declaration of 5/19/1993:

Association: "Association" means THE SEASONS at Tiara Rado Filing No. 3 Homeowners Association, Inc., a Colorado nonprofit corporation and its successors and assigns.

The Links: "THE LINKS" shall mean the planned community created by this Declaration, consisting of the Property, the Residences, and any other improvements constructed on the Property.

Master Association: "Master Association" shall mean the Master Subdivision of THE SEASONS Tiara Rado Owners Association, a Colorado non-profit corporation described in the Master Declaration.

Filing 3 of the Seasons (sometimes informally called "The Links") was created as its own HOA through a document recorded on May 19, 1993. That document was amended only once as far as the Board and our attorney are aware and that occurred on December 10, 2007. Through the amended document, the Filing 3 HOA was responsible for maintaining certain portions of the walls and the landscaping within 12 feet of the street.

Given that the "Association" for Filing No 3 and "The Links" were dissolved in 2009 and no known document transferred responsibility for maintenance, homeowners have, by default, assumed responsibility for maintaining the Exterior Maintenance Area (top and exterior of pathway walls and golf course walls), the 12-foot front landscape zone along the streets, and the structural condition of all walls; all were referenced in the Amendment. Since 2009 there has been no maintenance of these areas by the Master Association. However, The "Master Association" has been maintaining the Filing 3 main irrigation line along the perimeters of the lots and ensures there is water to the emitters. All other maintenance (weed control, fertilization) has been assumed by the individual homeowners. The Master Association will continue maintenance of the main irrigation line and ensure there is canal water to the established feeder lines and emitters. There may be occasional charges for work to change emitters or repair lines; an increase in annual assessments may be needed to cover repairs.

Based on the advice of our attorney, the Board is adopting this resolution which states the Board would **officially** assume responsibility for the main irrigation line in Filing 3. Watering in the back yards and the front yards exclusive of the 12-foot perimeter zone would remain the responsibility of the home owner as it has always been. Maintenance of the walls and exteriors of homes remain the responsibility of the individual Homeowner.

Design and Maintenance Guidelines for Filing 3:

This policy was developed by the Design Review Committee to memorialize standing practices of The Seasons at Tiara Rado HOA regarding maintenance of structures and landscape in Filing 3 as of June 15, 2022. These guidelines will ensure consistent application of policies formally addressed in the Amendment of 12/4/2007 to the Declaration of Covenants, Conditions, Restrictions and Easements of the Seasons at Tiara Rado Filing #3. When the Links and Filing 3 Associations were dissolved in 2009, no document was created which further clarified responsibilities for maintenance. This document will provide clarification for the future.

The Design Review Committee of the Master Association has clarified that the Residence Exteriors, all of which will be maintained by individual homeowners, will conform to the architectural and design guidelines of the Master Association, using the following guidelines for any future improvements or changes:

1. Consistent Manner: professional painting methods or a complete re-stucco of the home exterior
2. Consistent Color: earth tones
3. Consistent Design: Southwest/Santa Fe/Pueblo style

Maintenance of walls: Homeowners will be responsible for maintenance of all walls, including painting, re-stucco or repair of stucco walls or iron fence. As in other Filings, the home color should be used on the top and exterior of all walls and iron fences (using method approved for wrought iron).

As in the case with other Filings, an Improvement/Change Form should be submitted to the DRC for all exterior changes as stated in Section 10.03 of the Amended Declaration of Covenants, Conditions, Restrictions and Easements for The Master Subdivision of the Seasons at Tiara Rado.

Amendment & Deviation: The Board of Directors may amend this Resolution from time to time and the Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

Page 3, Resolution #5

Certification: The undersigned, being the Secretary of the Association, certifies that the Board of Directors of the Association adopted the foregoing resolution and in witness thereof, the undersigned has subscribed his/her name:

The Seasons at Tiara Rado Master Homeowners Association

Secretary

Effective Date: _____