

**STONE CLIFF OWNERS ASSOCIATION, INC.**

**Resolution of the Board of Trustees  
Issue of Concern: Maintenance and Landscaping of Consolidated Lots**

WHEREAS, the Board of Trustees of the Stone Cliff Owners Association (“Association”) is charged with the duty to protect the general livability and quality of life of its members and to help maintain property values of the lots within the Association;

WHEREAS, as part of its duty, the Board of Trustees must help assure that assessments are paid and that lots and improvements thereon meet the Association’s community-wide standard as defined in its Restated and Amended Declaration of Covenants, Conditions and Restrictions of Stone Cliff (the “Declaration”);

WHEREAS, the members of the Association, by virtue of ownership of a lot therein, are required to comply with specific covenants, conditions, restrictions and rules in order to achieve the above-stated objectives;

WHEREAS, pursuant to Article VIII, Section 8.6 of the Declaration, the Architectural Review Committee may adopt, amend and repeal design guidelines for the community; all such guidelines shall be adopted by a majority of the Board of Trustees; and the Board may, from time to time, promulgate, adopt, amend and repeal amendments to the design guidelines;

WHEREAS, pursuant to Article V, Section 5.1 of the Declaration, each Owner of a lot covenants and agrees to pay to the Association annual and special assessments;

WHEREAS, pursuant to Article V, Section 5.6 of the Declaration, both monthly and special assessments shall be fixed at a uniform and equal rate for all lots, regardless of lot size;

WHEREAS, some members of the Association are owners of more than one lot which are contiguous to one another and have consolidated or desire to consolidate the lots as one lot in accordance with Article V, Section 5.6(b) of the Declaration, where there is, and shall only be, one living unit on the consolidated lot;

WHEREAS, the Board of Trustees desires to establish guidelines for architectural requirements for consolidated lots, including landscaping thereof;

NOW, THEREFORE, IT IS RESOLVED THAT the following shall apply in all instances of lot consolidation, past, present and future:

**CONSOLIDATION OF LOTS:**

1. Upon consolidation of two or more contiguous lots by an Owner, such Owner shall provide to the Board of Trustees documentation of the legal consolidation of the lots into one single lot, including, but not limited to, the tax identification number assigned by the County Recorder’s Office to the new lot created by the consolidation and a copy of the plat map reflecting the revised lot lines. The Owner shall execute and record against all lots involved, a Declaration of Use, in a form acceptable to the Association, declaring and restricting the use of said lots for only one living

unit and requiring notification to the Association upon severance of any consolidated lots. The Association shall continue to treat the combined lot as separate lots for assessment purposes until such documentation is duly recorded and provided to the Association.

2. If a living unit is constructed on one of the lots at the time of consolidation, the entire consolidated area must be fully landscaped within four (4) months of the lot consolidation date.

3. If there is no living unit on either of the lots at the time of consolidation, the entire consolidated area must be fully landscaped within four (4) months from the sooner to occur of completion or occupancy of a living unit.

4. After verification of a legal lot consolidation, the owner shall be charged Association assessments for one single lot.

5. Prior to beginning any landscaping required by this Resolution or required by any policy of the Association, the owner shall first obtain written approval from the Architectural Review Committee regarding the general landscaping plan. Failure of an owner to complete their landscaping consistent with their landscaping plan shall subject the owner and their lot to enforcement remedies by the Association including, but not limited to, stop work orders, fines and any other remedy permitted by law.

6. Any unpaid fines and assessments related to a lot or a consolidated lot, including any penalties or late charges, shall be collected as set forth in the Declaration.

NOW, THEREFORE, IT IS FURTHER RESOLVED THAT the following shall apply in all instances when a consolidated lot is later divided:

**SUBSEQUENT DIVISION OF CONSOLIDATED LOT:**

1. In the event that a previously consolidated lot is later lawfully divided, then the owner of the newly divided lot (whether the same Owner or a subsequent Owner) must contact the Association before the first day of the immediately following month and provide the Association with current ownership information, including mailing address, in order for the Association's records to be updated and for assessments to commence with respect to the divided lot.

2. Assessments shall begin against any divided lot as if the lot had never been consolidated.

NOW, THEREFORE, IT IS FURTHER RESOLVED, that a copy of this resolution shall be distributed to all Owners.

ATTEST

  
President

  
Secretary

Date: \_\_\_\_\_

Date: June 19, 2008