

SUN WEST TRAILS ASSOCIATION

**BOARD OF DIRECTORS RESOLUTION
REGARDING ADDITIONAL PARKING RULES**

WHEREAS, The Abralee Meadows Community Association dba Sun West Trails (the "Association") is governed by a Declaration of Covenants, Conditions, Restrictions and Easements for Abralee Meadows (dba Sun West Trails) recorded at Document No. 2003-1347920 in the official records of Maricopa County, Arizona (the "Declaration") and applicable Arizona law.

WHEREAS, Article 5, Section 5.3 of the Declaration allows the Association, through the Board of Directors, to adopt and enforce rules and regulations (the "Rules") governing the use of Lots.

WHEREAS, Article 3, Section 3.16 of the Declaration, addresses the parking and storage of motor vehicles.

WHEREAS, Article 3, Section 3.16 of the Declaration provides:

Any and all motor vehicles not prohibited by the provisions hereof shall **be stored in a garage** so as to conceal the same from view from adjoining Lots or from the street or public way. Vehicles other than recreational vehicles, commercial vehicles, motorhomes, campers, trailers, boats and similar vehicles as provided below) **may be parked up on the driveway surface of a Lot** when there are more cars on a Lot than the number of garages constructed thereon. Parking or storing of recreational vehicles, commercial vehicles, motorhomes, campers, trailers, boats and similar vehicles is prohibited on all portions of the Property unless such vehicles are **not Visible From Neighboring Property** or are otherwise permitted pursuant to the Design Guidelines. Such vehicles may be parked on the parking area of the Owner's Lot for purposes of loading or unloading, and in any event may only be Visible From Neighboring Property for period not to exceed seventy two (72) hours. The use or occupancy of a recreational vehicle, motorhome, van, camper, trailer, or boat as living quarters on either a temporary or permanent basis is strictly prohibited **on any portion of the Property**. At no time shall there be any outside storage of motor vehicles in stages of construction, reconstruction, modification or rebuilding of parts of motor vehicles such as frames, bodies, engines or there parts or accessories. Except for emergency vehicle repairs, no automobile or other motor vehicle shall be constructed, reconstructed or repaired upon a Lot or other property in the Project, and no inoperable vehicle may be stored or parked on any such Lot or other property so as to be Visible From Neighboring Property or to be visible from any Common Area or **any street**. (Emphasis added)

WHEREAS, Article 3, Section 3.18 addresses parking motor vehicles in the garage.

WHEREAS, Article 3, Section 3.18 provides in pertinent part:

Garages situated on Lots shall be used only for the parking of vehicles and shall not be converted for living or recreational activities without prior written approval of the Architectural Committee. Garages may be used for the storage of non-hazardous materials so long as the storage of materials allows **sufficient space for the parking of at least one (1) motor vehicle...**

NOW, THEREFORE, based on the power authorized to the Board of Directors and the responsibilities of the Board of Directors to enforce the restrictions in the Declaration above, the Board of Directors hereby adopts the following resolution and makes the provisions below part of the Association's Rules, which clarifies the terms of Article 3, Section 3.16 and Article 3, Section 3.18 of the Declaration, and adopts additional Rules pursuant to Article 5, Section 5.3 of the Declaration.

Parking Clarification and Rules

1. At all times, pursuant to the Declaration, the following vehicles are prohibited from being parked on streets within the Association (or in any location where the vehicles are visible from neighboring property): mobile homes, travel trailers, tent trailers, trailers, camper shells, boat trailers, or other similar equipment; vehicles that are being constructed, reconstructed, or repaired (except for emergency repairs); and inoperable or stored vehicles.
2. An Owner's garage must be used to park at least one motor vehicle (to the extent the Owner has a motor vehicle). So long as an Owner is parking at least one motor vehicle in the garage, an Owner may park additional motor vehicles in the Owner's driveway; however, the Declaration does not require that Owners park additional motor vehicles in the driveway.
3. Article 3, Section 3.16 only addresses parking of motor vehicles in garages and driveways, but the Association is authorized to develop additional Rules and Regulations, so therefore the Association will allow for street-parking of motor vehicles. Unless otherwise prohibited by the Declaration, so long as a motor vehicle is parked in the garage, the Owner may park additional motor vehicles in the street.

- Nothing in this Resolution will limit the Board of Directors right to seek an immediate legal remedy, at any time regardless of the presence or absence of notices hereunder, for any violation of these Rules. Further, the Association is limited to enforcing the provisions in the Declaration and Rules, and can only enforce parking violations that are in direct violation of its Declaration and Rules.

A majority of the Board of Directors adopted the above resolution at a duly called meeting of the Board of Directors on this 15 day of JANUARY, 2019. 2020

Sun West Trails

By: 
Its: President

