

BRIGHTON PARK COMMUNITY ASSOCIATION RESOLUTION

Approved: September 2015

Modified: April 2016

Whereas, Brighton Park Community Association (“Association”) is governed by the Declaration of Covenants, Conditions, and Restrictions recorded on April 12, 2004, at instrument no. 2004-0380045, records of Maricopa County, Arizona and all other amendments thereto (collectively, the “Declaration”);

Whereas, Section 8.24 of the Declaration provides that family vehicles may be parked on the street only on a “non-recurring and temporary basis”;

Whereas, Section 1.25 of the Declaration provides that the definition on “nonrecurring and temporary basis” is “the parking of vehicles of any type either: (i) for the temporary purpose of loading and unloading non-commercial items for use on the lot; (ii) for temporary parking by guests or invitees of an Owner that do not involve overnight parking; or (iii) for temporary parking of the vehicles of an Owner or the Owner’s Permittees for cleaning or special events that do not involve overnight parking and that do not occur on a frequent or repetitive basis.

Whereas, Arizona law requires that the Board of Directors exercise all discretionary powers, including rulemaking, enforcement and applicability of the Declaration “reasonably.”

Whereas, the Board of Directors desires to clarify Sections 1.25 and 8.24 of the Declaration with respect to the discretionary term “overnight” and the term “temporary.”

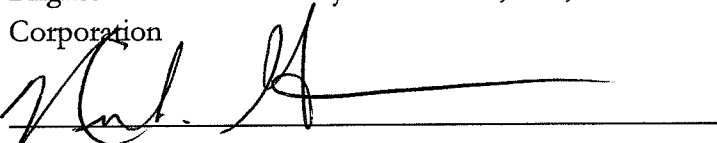
NOW THEREFORE, pursuant to Arizona law and the Board’s authority to adopt rules and regulations, the Association hereby adopts this Resolution:

1. Vehicles set forth in Section 8.24 of the Declaration shall be deemed parked “overnight” if said vehicles are on site between the hours of 12:00am (midnight) and 5:00am.
2. Vehicles set forth in Section 8.24 of the Declaration shall be deemed parked “temporarily” if said vehicles are in the street no more than six (6) consecutive hours.
3. The Board of Directors reserves the right, in its sole discretion, to enforce Section 8.24 of the Declaration when vehicles are parked “overnight” or if vehicles are parked in the street more than six (6) consecutive hours.
4. Nothing herein shall preclude the Board of Directors from adopting further provisions related to this Resolution or amending the same.

CERTIFICATION

I HEREBY CERTIFY that the foregoing is true and correct and was regularly presented to and adopted by the Brighton Park Community Association, Inc. at a meeting duly called and held at South Pointe High School on the 13th day of April, 2016, at which a quorum was present and voted, and that such Resolution is duly recorded in the minute book of this corporation.

Brighton Park Community Association, Inc., an Arizona Non-Profit Corporation



By:
Its: President

STATE OF ARIZONA)
) :ss
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by _____, the President of the Association's Board of Management, on behalf of Brighton Park Community Association, Inc.

Notary Public

My Commission Expires: