

## **CORDILLERA PROPERTY OWNERS ASSOCIATION**

### **A RESOLUTION APPROVING AN AMENDMENT TO THE AMENDED AND RESTATED WILDFIRE MITIGATION RESOLUTION**

WHEREAS, on March 29, 2007, the Cordillera Property Owners Association (“the Association”) adopted a Wildfire Mitigation Resolution which set forth mandatory wildfire mitigation regulations to protect the homes and property of Cordillera Property Owners (“Owners”) from wildfires, as amended and restated on March 16, 2009 (the “Prior Wildfire Mitigation Resolution”); and

WHEREAS, the Association amended and restated the Prior Wildfire Mitigation Resolution on April 18, 2014 pursuant to the “Amended and Restated Wildfire Mitigation Resolution,” having determined that initial concerns regarding wildfire mitigation had been addressed on privately owned properties such that the community should be now in a maintenance stage; and

WHEREAS, the Association feels that continuation of a wildfire mitigation program is in the best interest of the safety of the Cordillera Community; and

WHEREAS, the Association desires to amend the Amended and Restated Wildfire Mitigation Resolution as provided herein to address additional concerns regarding wildfire mitigation.

**NOW THEREFORE, THE BOARD OF DIRECTORS OF THE CORDILLERA PROPERTY OWNERS ASSOCIATION HEREBY AMENDS THE AMENDED AND RESTATED WILDFIRE MITIGATION RESOLUTION AS FOLLOWS:**

1. Section 2 of the Amended and Restated Wildfire Resolution is hereby deleted and replaced in its entirety with the following:

Hazard Trees: A “Hazard Tree” shall be any species or variety of tree which is dead, substantially dead, and/or insect infested and determined to be either a wildfire fuel hazard, a safety hazard, and/or an insect infestation threat to other trees, people, or improvements.

- a. Owners of properties with Hazard Trees shall be notified in writing, as provided in Section 9 hereof, and shall have thirty (30) days, or such other time as is specified in the written notice, to mitigate the Hazard Tree(s) by removal or to submit written proof of intent to mitigate, which may include, without limitation, a contract with an appropriate vendor. Notwithstanding the foregoing, insect-infested trees must be removed by a specific time of year. Each species may be slightly different; therefore, the removal date will be determined by the Association’s Healthy Forest Coordinator and/or the Director of Public Safety and will be stated in the written notice.
- b. If the Owner cannot or does not remove the Hazard Tree(s) by the specified removal date or commence mitigation in accordance with subparagraph 2.a., the Association shall be authorized to remove the tree and bill the cost thereof to the Owner, as provided in Section 9.

2. Section 9 of the Amended and Restated Wildfire Resolution is hereby deleted and replaced in its entirety with the following:

Failure to Comply: The initial written notice required pursuant to Section 1 and Section 2 hereof will be handled as a “First Notice” and request to cure in the manner provided in the Association’s Second Amended and Restated Resolution Regarding Covenant and Rule Enforcement Policy, as may be amended from time to time (the “Policy”). In the event an Owner fails to comply with the First Notice, a “Second Notice” will be sent in the manner provided in the Policy, which shall contain a written estimate of the costs to mitigate and shall state that Owner has thirty (30) days to respond. If the Owner fails to respond or comply, the Association may proceed to mitigate the issue and charge all costs associated therewith, including staff and legal fees, to the Owner. Unpaid charges will be managed in accordance with the Association’s Policy for the Collection of Unpaid Assessments, as the same may be amended from time to time.

However, if the Association determines that action must be taken within a specified or shorter period of time, the initial written notice shall state the same and shall indicate the date by which action to mitigate must be taken or evidence of intent to mitigate must be provided. If the Owner cannot or does not mitigate or provide evidence of intent to mitigate as requested, the Association shall promptly provide a written estimate of the costs to mitigate and shall permit Owner no less than five (5) days to respond, unless immediate action is required. If the Owner fails to respond within the stated time, the Association may proceed to mitigate the issue and charge all costs associated therewith, including staff and legal fees, to the Owner.

3. Section 10 of the Amended and Restated Wildfire Resolution is hereby deleted in its entirety.
4. Except as specifically amended hereby, all other sections and provisions of the Amended and Restated Wildfire Resolution shall remain unchanged and in full force and effect.
5. This resolution shall take effect on the date and time of its adoption.

ADOPTED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2018.

**CORDILLERA PROPERTY OWNERS  
ASSOCIATION**

\_\_\_\_\_  
Ed Shriner, President

ATTEST:

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Larry Brooks, Secretary