

# **CASOLAR DEL NORTE HOMEOWNERS ASSOCIATION**

## **BOARD OF DIRECTORS MEETING**

**December 12, 2010**

A regular meeting of the Board of Directors of Casolar Del Norte Homeowners Association was duly held December 12, 2010 immediately following the Annual Homeowner's Meeting at the home of Nancy Bigsby at 1180B Casolar Dr. The following Board members, constituting a quorum, participated in the meeting: Nancy Bigsby, Brendan McCarthy, John Uhley, Charles Reyner, & Tracey Allan (via phone).

### **Commencement**

Nancy called the meeting to order at 4:05pm. With four Board members on site and one participating via phone, a quorum was established. All present confirmed that they had received proper notice of the meeting.

### **Intermountain Engineering Payment Approval**

Billing from Intermountain for the completed surveying and legal description work was brought up by Nancy. Brendan discussed the letter from Intermountain stating which lots had been completed in this work, which lots had been completed in years past and properly recorded with the county, and which lots are currently unimproved. The letter covered every lot in Casolar and all agreed the contracted work had been satisfactorily completed. John made a motion to approve full payment to Intermountain, which was seconded by Brendan and passed unanimously.

### **Rockwell Construction Project**

Nancy presented that the Rockwell project is moving forward with the approval process with the aim of commencing construction per the 10/24/10 approved plans at the conclusion of snow season. The Board will continue to monitor progress and communications will be left open.

### **Candyce Cavanaugh Opinion on Easements**

A recent letter from Candyce was discussed. The letter had stated an opinion that the Association best proceed with a vote to gain a minimum 51% approval of the voting members to make the by-law change that will allow for legal cross easements to be granted by Casolar HOA. This was recommended as the most efficient way to complete the process of legally recording the exact locations of all existing improvements. With all surveying data obtained posted online for review by Homeowner's and the by-law change approved, all recording could be completed with Eagle County. It was stated that there would be a cost benefit to having the recording done for the entirety of Casolar at one time, but an exact amount remains to be determined. A discussion

of how much land granting power the Board should hold took place. The general opinion that a one-time arrangement allowing the Board to grant land via easement to correct all encroachments identified in Intermountain's work may be best; a one-time process, rather than a permanent land granting powers. The specific situations of homes in Casolar expanded onto and now encroaching on commonly owned HOA land was discussed. Brendan offered to review the Intermountain data and obtain exact definitions of the areas of HOA land that are known to be owned by the HOA, but have had private improvements built over them (homes recently expanded onto common land without transfer of title of land). Brendan will present this data at the next Board meeting. The discussion went on to 3 possible items to present to the body for a vote:

- 1) Allow for a one-time granting of cross-easements
- 2) Determine whether the Board should be granted the permanent power to grant easements
- 3) Grant easements for homes expanded onto commonly owned Association land

It was agreed that membership guidance and support in the route taken was most desired. Information will be compiled for presentation to the membership, and John offered to start a draft of such communication.

\*\*Tracey had to leave the meeting at 4:34pm\*\*

### **Todger Anderson Unbuilt Lots**

Todger has stated the the Town will allow him develop the 2 unimproved Casolar lots he currently owns. Furthermore, the Town may also allow those 2 lots to be accessed via Red Sandstone Rd (above the lots) rather than Casolar Dr (below the lots).

### **Adjournment**

With no further business, John made a motion to adjourn at 5:15pm which was seconded by Charles and passed unanimously.

### **Next Meeting**

The next Board meeting is scheduled for 4pm, 1/16/11, at the home of Charles Reyner.