

# **CASOLAR DEL NORTE HOMEOWNERS ASSOCIATION**

## **SPECIAL MEETING**

**March 6, 2011**

A special meeting of the Casolar Del Norte Homeowners Association was duly held March 6, 2011 at the home of Nancy Bigsby at 1180B Casolar Dr. The meeting was held to vote on an amendment to the Association by-laws allowing easements to be legally granted within the Casolar Association. The following Association members participated in the meeting: Nancy & Paul Bigsby, Tracey Allan, Brendan McCarthy, Charles Reyner, Todger Anderson, Marshall & Carolyn Turley, Jack & Dianne Shearer, and via phone John Uhley, and Curtis Landry. Written Proxies or Votes from McWilliams, Russell Scott, Lohrentz, Rockwell, Pierce, Stephens/Johnson, Watts, Chojnowski, Friedman and Holcomb were also on hand.

### **Commencement**

Nancy called the meeting to order at 4:08pm. With 10 Association members on site, 2 participating via phone, and 12 proxy ballots in possession, the majority of the voting body was represented. All present confirmed that they had received proper notice of the meeting.

### **Process to Legally Grant Cross Easements**

Nancy explained the need for the easements, and the special vote to allow granting of easements. All Casolar improvements were surveyed as currently built, and many were found to not be entirely located within their recorded lot boundaries. To correct this, and get all Casolar improvements and lot boundaries coinciding, many cross-easements would need to be granted between the HOA and individual Homeowners. Upon completion, every homeowner would have the entirety of their home located on land that they privately owned, solving the current problem of homes built on the neighbors lot or commonly owned Association land. To allow the cross-easements to be legally granted, this special vote was needed to change Association by-laws.

Tracey motioned that the initiative be passed and the Board given the legal right to grant easements. The motion was seconded by Charles. Between Proxies and all present at the meeting votes were counted and found to be 22 in favor and 0 against ( the remainder not casting a vote either way) The initiative required that 66% of the homeowners (18 votes) vote in favor of the motion, so with 22 'yes' votes the motion passed.

Nancy mentioned possible advantages to getting all cross-easements for the entire Association done at once. John suggested that a single letter with the necessary verbiage might be drafted by Association counsel Candyce Cavanaugh and then used by all for their specific legal descriptions. Furthermore, there was the possibility of reduced county filing fees if all was submitted at once. The Board will investigate this as next steps in moving towards completion of this process.

### **Adjournment**

The meeting was adjourned at 4:17pm with a motion Charles, seconded by Tracey, and passed unanimously.