

**THE RANCH AT PRESCOTT
COMMUNITY ASSOCIATION**

**POLICY FOR MAINTENANCE OF
PLATED DRAINAGE EASEMENTS
IN UNITS V & VI**

Whereas, the recorded Plats for Units V and VI of The Ranch at Prescott contain the following language: *"All common areas, drainage tracts and/or drainage easements as stated herein shall be maintained by the Ranch at Prescott Homeowners Association."*

Whereas, the recorded Plats for Units I, III, IV, VII and IX of The Ranch at Prescott do not contain any language obligating the Association to maintain the drainage easements.

Whereas, the Council's definition of "maintained" as set forth above is to preserve the original plated drainage easements as originally designed and/or constructed.

Whereas, Section 7.1 of the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for the Ranch at Prescott (the "CC&R's") provides that the Association shall be the sole judge as to the appropriate maintenance of the Areas of Association Responsibility.

Whereas, Section 1.5 of the CC&R's define "Areas of Association Responsibility" as: "(i) all Common Area, (ii) all land, and the improvements situated thereon, located within the boundaries of a Lot which the Association is obligated to maintain, repair and replace pursuant to the terms of this Declaration or the terms of another recorded document executed by the Association; and (iii) all real property, and the improvements situated thereon, within the Project located within dedicated rights-of-way with respect to which the State of Arizona or any county or municipality has accepted all responsibility for maintenance, repair and replacement of such areas."

Whereas, Section 1.23 defines the term "Maintenance Standard" as "the standard of maintenance of improvements established from time to time by the Board or, in the absence of any standard established by the Board, the standard of maintenance of improvements generally prevailing through out the Project."

Now, therefore, the Council for The Ranch of Prescott Homeowners Association sets forth the following as its "Standard of Maintenance" for the original plated drainage easements as set forth on the recorded Plats for Units V and VI:

Standard of Maintenance shall be limited to annual inspections of common areas, drainage tracts, and/or drainage easements by the Homeowners Association or its delegated representative to assure that no blockage, deterioration of performance due to blockage, or sedimentation build-up due to blockage shall have occurred by natural causes. The Association shall have no responsibility for establishment, improvement, or betterment of any easement, be it natural or an improved condition, as accepted by the City of Prescott at the time of plat recordation.

Adopted: 7/24/08

Board President: 
