## RESOLUTION OF THE BOARD OF DIRECTORS FOR AVADA HOMEOWNERS' ASSOCIATION

### TRASH CAN STORAGE SCREENING RESOLUTION

WHEREAS, on December 1, 2004, Avada, LLC, ("Declarant") formed Avada Homeowners Association, a Nevada nonprofit corporation (the "Association") by the filing of the Articles of Incorporation of the Association in the Office of the Nevada Secretary of State;

WHEREAS, the Association is governed by the laws of the State of Nevada, including Nevada Revised Statutes ("NRS") Chapter 116, which governs common-interest communities in Nevada;

WHEREAS, the Association was formed in order to operate and administrate that certain real property commonly known as Avada Homeowners Association (the "Community");

WHEREAS, on October 08, 2004, Declarant recorded or caused to be recorded the Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Avada Homeowners Association (the "Declaration") in the Office of the County Recorder, Clark County, Nevada, in Book No. 20041008 as Instrument No. 0001563;

WHEREAS, the Declaration applies to the Community;

WHEREAS, pursuant to Article 3, Section 3.01 of the Bylaws for the Association, the Association is to be operated and managed by a Board of Directors (the "Board") in accordance with the provisions of the Declaration, the Bylaws, and all other rules and regulations applicable to the Community (collectively, the "Governing Documents");

WHEREAS, pursuant to Article 1, Section 1.05 of the Bylaws, the Association shall have the power to do any and all lawful things that may be authorized, required, or permitted to be done under and by virtue of the Declaration and to do any perform any and all acts that may be necessary or proper for or incidental to the exercise of any of the express powers of the Association for the peace, health, comfort, safety, or general welfare of the Owners.

WHEREAS, the Declaration, Article 8, Section 8.1(n) states All clotheslines, equipment, service yards, wood piles and storage piles on Lots shall be kept screened by adequate fencing as to conceal them from view from adjacent Lots and dedicated rights-of-way.

WHEREAS, the Declaration, Article 7, Section 7.1 Review of Plans and Specifications states No construction, alteration, grading, addition, excavation, modification, decoration, redecoration or reconstruction of an Improvement or removal of any tree in the Community shall be commenced or maintained by any Owner until the plans and specifications showing the nature, kind, shape, height, width, color, materials, and location of the same have been submitted to, and approved in writing by the Association and/or proper city authority/committee, as required by the Declaration.

WHEREAS, The Board has seen a need to further clarify the Association's governing documents in relation to the placement and/or storage of trash cans out of sight of neighbors

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## NOW, THEREFORE, BE IT RESOLVED, as follows:

- 1. Trash cans may be stored on the side of the home only if the homeowner installs the screening materials as noted in this policy to block the trash cans from view of neighboring homes and the street.
- 2. The approved screening materials consist of a section of lattice fencing attached to the home with hinges and painted in one of three ways. The lattice must be painted to match the body color of the home to which it is being attached. Please note, homes are not permitted to be painted any color other than the original color, as constructed by the declarant, without prior approval. A lattice gate that is painted to match a home color that is not in compliance, will also not be in compliance.
- 3. The specific materials to be used are as follows: Freedom Grab&Go 31.97-in W x 45.5-in H White Vinyl/Polyresin Outdoor Privacy Screen. (The screen is only available in white and must be painted.) Gatehouse 4-in H Satin Nickel 5/8-in Radius Interior/Exterior Mortise Door Hinge (2 of them).
- 4. The lattice privacy screen is to be attached to the home using the hinges so that when the lattice is opened, it can rest flush against the home. Therefore, there is no need for the homeowner to step onto the adjacent neighbor's property in order to take their trash bins to the curb. When the lattice privacy screen is open, it will fully block the trash cans from view. Alternatively, the gate



can be secured in place by attaching one side of the gate to a post dug into the ground, provided that it can still be closed and will not require going onto another lot's property in order to remove trash cans.

- 5. The lattice privacy screen material must be installed so that the bottom of the screen is close to flush with the ground. The screen may not be installed so that there is a gap of more than six (6) inches between the ground and the bottom of the screen.
- 6. The lattice privacy screen material may be installed on any portion of the side of the home.
- 7. Modifications performed in accordance with the above listed specifications shall be deemed approved and shall not require an Architectural Application or a formal Architectural Response granting approval.
- 8. The adoption of this resolution does not prevent homeowners from seeking approval for alternate screening methods. All alternate screening methods must be approved by the Architectural Review Committee/Board of Directors, prior to installation. An Architectural Review Form must be submitted to the Association's management company. The form must include a photo of the screening material, location of install, color and any other relevant details.

# RESOLUTION OF THE BOARD OF DIRECTORS FOR AVADA HOMEOWNERS' ASSOCIATION

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APPROVED AND ADOPTED by the Board of Directors on this 4 day of June, 2018.

**IN WITNESS WHEREOF**, we, <u>Jennifer Calarco</u> and <u>Alexandra McLeod</u>, being duly Appointed members of Avada Homeowners Association Board of Directors respectively, have hereto subscribed our names.

Board Member

Board Member