

# AD HOC CC&R REVIEW COMMITTEE CHARTER

## **Foothills Property Owners Association**

### 1. Establishment

The Board of Directors hereby establishes the Ad Hoc CC&R Review Committee (“Committee”) as an advisory committee to the Board.

This Committee will exist until its assigned task is completed or it is dissolved by the Board.

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### 2. Purpose

The purpose of the Committee is to review and recommend revisions to the Association’s Declaration of Covenants, Conditions and Restrictions (CC&Rs) in order to:

1. Ensure compliance with applicable Arizona law governing planned communities.
2. Improve organization, clarity, and readability.
3. Eliminate outdated, redundant, conflicting, or ambiguous provisions.
4. Evaluate and propose fair and legally supportable approaches to the allocation of costs for:
  - Private road maintenance
  - Snow removal
5. Prepare a proposed amended and restated CC&R document for Board consideration and, if approved by the Board, for submission to the membership for a vote requiring **not less than two-thirds (2/3) of the voting power of the Members.**

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### 3. Authority

The Committee is advisory only and does not have the authority to:

- Bind the Association
- Expend Association funds except as specifically authorized by the Board
- Modify governing documents
- Direct vendors, contractors, or legal counsel

All final decisions remain with the Board of Directors and the Members as required by the governing documents and Arizona law.

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#### 4. Scope of Work

The Committee will:

##### A. Document Review

- Review the current CC&Rs for:
  - Compliance with Arizona Revised Statutes applicable to planned communities
  - Internal consistency
  - Practical enforceability
  - Clarity and logical structure

##### B. Reorganization & Simplification

- Propose a more user-friendly format and logical section order.
- Use plain language where possible without changing legal meaning.

##### C. Road Maintenance & Snow Removal Cost Allocation

- Gather relevant background information.
- Identify the nature of the current perceived inequity.
- Develop and evaluate alternative cost allocation models.
- Consider fairness, proportional benefit, historical practice, and legal constraints.
- Present one or more recommended options with explanations.

##### D. Legal Review (through the Board)

- Coordinate with Association legal counsel, as authorized by the Board, to:
  - Confirm statutory compliance
  - Review the draft amended and restated CC&Rs prior to membership vote

##### E. Member Input

- Provide opportunities for member comment through Board-approved methods.

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#### 5. Committee Membership

The Committee shall consist of **5–7 Members** appointed by the Board and may include:

- At least one Board member serving as liaison
- Owners in good standing

The Committee shall select a Chair who will:

- Schedule and facilitate meetings
- Coordinate the Committee's work
- Serve as the primary contact with the Board

Vacancies may be filled by the Board.

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## 6. Meetings & Operations

- Meetings will be held as needed.
  - A majority of the appointed Committee members constitutes a quorum.
  - The Committee will maintain brief meeting notes.
  - The Committee will provide periodic progress reports to the Board.
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## 7. Deliverables

The Committee will submit to the Board:

1. A redlined version of the existing CC&Rs showing proposed changes
  2. A clean proposed **Amended and Restated CC&R document**
  3. A summary of key changes and the reasons for them
  4. A report outlining:
    - The road maintenance and snow removal cost allocation issue
    - The alternatives considered
    - The Committee's recommended solution(s)
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## 8. Timeline

The target completion date for submission of the Committee's final draft to the Board is:

**31 December 2026**

The Board may adjust this timeline as needed.

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## 9. Communication with the Membership

All formal communications to the membership will be coordinated through the Board to ensure consistency and accuracy.

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## 10. Dissolution

The Committee will be dissolved upon the earliest of:

- Submission and Board acceptance of its final report, or
- Direction of the Board.

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Charter Approved by the Board of Directors 21 Mar 2026