

San Ignacio Heights HOA Policy Regarding Enforcement of CC&R's

Adopted, November 16, 2022

Under the current interpretation of the Kalway vs Calabria Ranch decision by the Arizona Supreme Court, and after discussion with counsel, the Board adopts the following policy:

The Board will enforce CC&R's as follows:

1) For those owners who purchased their property between 1990 and Feb 15, 2007, the provisions of the 1990 CC&R's will apply, unless 2007 CC&R provisions are less restrictive.

2) For those owners who purchased their property after February 15, 2007, the 2007 CC&R's will apply.

When any property in the first category sells or transfers, the property will be subject to the 2007 CC&R's.

This policy applies to the rights of Members and the use of their lots. Any administrative powers and functions of the Board, including but not limited to, the maintenance and use of Common Areas, will be governed by the 2007 CC&R provisions.

This is a policy statement only. The Board reserves the right to deviate from this policy in certain circumstances.

As of September 18, 2023, the following properties were purchased prior to Feb 15, 2007:

4054 S AMULET PL
4071 S AMULET PL
4105 S ANASTACIA CT
4111 S ANASTACIA CT
4123 S ANASTACIA CT
4163 S ANASTACIA CT
4199 S ANASTACIA CT
4171 S CAMPINA CT
4191 S CAMPINA CT
4127 S CONSTANCIA
4144 S CONSTANCIA
4150 S CONSTANCIA
4151 S CONSTANCIA
4141 S EMELITA DR
4191 S EMELITA DR
4209 S EMELITA DR
4213 S EMELITA DR
4217 S EMELITA DR
1591 W ACALA ST
1611 W ACALA ST

1678 W CIRCULO DE LA PINATA
1684 W CIRCULO DE LA PINATA
1738 W CIRCULO DE LA PINATA
1751 W CIRCULO DE LA PINATA
1301 W MARIQUITA ST
1319 W MARIQUITA ST
1587 W MARIQUITA ST
1593 W MARIQUITA ST
1599 W MARIQUITA ST
1609 W MARIQUITA ST
1641 W MARIQUITA ST
1689 W MARIQUITA ST
4233 WESTCOTTA CT
4161 WESTCOTTA DR
4181 WESTCOTTA DR
4191 WESTCOTTA DR