

# PUEBLO DEL SOL PROPERTY OWNERS ASSOCIATION

**PO Box 1551, Sierra Vista, AZ 85636**

**Dear New Property Owner,**

The Pueblo del Sol Property Owner's Association (PDSPOA) welcomes you to the community. We hope that you will be satisfied with your decision to become a property owner in this unique location at the base and eastern slopes of the Huachuca Mountains. We enjoy the summer monsoon rains from July to September, and light snows in the wintertime. The proximity to canyons and forest where wildlife abounds, nearby camping areas, as well as walking, biking, and riding trails affords opportunities to explore the great outdoors. As a point of interest, two horses per property are allowed in our development.

**PDSPOA Background:** The PDSPOA was established in 1972 as an Arizona non-profit corporation, with Articles of Incorporation, CC&Rs, By-Laws, and Association Rules. The PDSPOA, an Homeowner Association (HOA), was created for the purpose of enhancing the value, desirability and attractiveness of the real property and every part thereof, to ensure the maintenance, preservation, and architectural control of the 346 lots comprising the Association. Compliance with PDSPOA governing documents was mandatory. This status changed in 2016 when a lawsuit by three owners resulted in a court ruling that the successful extension of the CC&Rs, by 2/3 vote of the Owners, contained an administrative error/oversight. The court terminated the CC&Rs and Rules and Regulations which drastically changed the legal relationship between Owner and PDSPOA. Since then, purchasing a property (lot or residence) within the PDSPOA development no longer had CC&Rs that attached your lot to PDSPOA. As such, owners were no longer legally bound by contract to comply with the provisions of the Association's governing documents, such as the CC&Rs and Rules. However, ownership of a lot in PDSPOA still granted the owner full membership in the PDSPOA. All obligations ended as did the requirement to pay a mandatory Annual Assessment. The payment of an Annual Assessment became voluntary.

**Current PDSPOA Status.** The PDSPOA remains an active and registered Arizona non-profit corporation that owns the common areas and retains its Articles of Incorporation and By-Laws. Today, the Association focuses on maintenance of the 77 acres of common areas, with the objective of retaining the overall quality of life and aesthetics of our community. The PDSPOA can no longer dictate standards of maintenance, property use, and activities of owners over the lots. The vast majority of owners strongly believe it is in their own and collective best interests to maintain their individual properties in reasonable standards so not to degrade the overall appearance of the community and also diminish the value of neighboring properties. PDSPOA has not authority to direct improvements be made but can ask that maintenance be improved as necessary. The PDSPOA is a Cochise County SR-43 zoned community of single-family residences. The County inspects, regulates and/or prohibits zoning violations such as property use and activities to include any gainful occupation, profession or trade from being maintained or conducted in any structure or on any lot or when activities of owners are inconsistent with zoning standards or are deleterious to adjacent neighbors or the neighborhood. The Association's focus is on sustaining a high quality of life and property values.

**PDSPOA Membership:** All property owners automatically become members of the Association and benefit from the services of the Association. Members have the right to nominate and vote for a Board

of Directors, run for election to the Board, vote on certain decisions outlined in the By-Laws, inspect records of the Association, attend and participate in all open meetings of the Board of Directors and all membership meetings and volunteer to assist on various committees.

**PDSPOA Board of Directors and Association Officers:** Nominations for election to the 5-person Board of Directors are held once a year at the Annual membership Meeting held on the third Saturday in May. Elections by secret ballot are held in June. The Board of Directors meets on the second Monday of every month and is subject to change with notice provided by the Board. They meet in the Fry Fire Station Training Room at 7:00 P.M. All members are invited to attend the meetings and may address the Board of Directors on any issue pertaining to the Association at the appropriate time.

**PDSPOA Annual Assessments:** The Board of Directors prepares an annual operating budget that predicts the estimated costs of operations for the period of July 1 through June 30. The cost of operating the Association is billed equally among all 346 owners/lots. The annual assessment for FY 2019 is \$50.00. Payment of the Annual Assessment is voluntary and there are no late fees incurred. There is also no impact on your status as a member of the PDSPOA if you do not pay. The Association Treasurer insures all assessments are collected and funds distributed to pay for financial obligations. The Treasurer submits a monthly financial report to the Board of Directors that is included in the meeting minutes. The annual budget clearly defines a bare-bones approach to pay only those obligations of the PDSPOA to protect and maintain the common areas, legal fees, taxes, and some basic communications and services needed to operate the PDSPOA as a non-profit corporation.

**The Association Office and e-mail:** Our email address is; **[pueblodelsolpoa@gmail.com](mailto:pueblodelsolpoa@gmail.com)**. The Association has a small office located on the east side of the Fry Fire District station on Yaqui Street. We have a mail box located on the left side of the building for letter or notes to the Board of Directors. The office is open on an unscheduled part-time basis. We request that you provide the Board of Directors with your e-mail address that will be used solely for communicating with you on PDSPOA matters, sending meeting announcements, newsletters or other notices.

To assist you in becoming as informed as possible we have included several items. These are the PDSPOA Financial Statement, the present FY 2019 Budget, and a current contact list of the members of the Board of Directors and Officers of the Association. Please feel free to call the Association Office at **(520) 263-7786** or members of the Board of Directors if you have questions or concerns. You may also access pertinent PDSPOA information online by logging onto **[www.pdspoa.com](http://www.pdspoa.com)** to read and/or download Association information or documents.

We extend you a warm welcome to the community and the Association.

Board of Directors, Pueblo Del Sol Property Owner's Association