

GOOD NEIGHBOR ASSOCIATION

COMMUNITY WHITE PAPER

2012 VERSION 1.0

Director Jake Forest

In a nonprofit organization a White Paper is an authoritative report of objective information. Presenting an overview of projected Association activity in the year 2012, this White paper is a work-in-progress which will be continually revised as change warrants.

1. Litigation
2. Legal
 - a. Renaming
 - i. Neighborhoods
 - b. Covenants
 - c. Articles of Incorporation
 - d. Bylaws

1. **Litigation.**

On August 31st GNA entered into Mediation with the intent to reach a final, binding resolution of the issues which were raised in the instant litigation of case D-1314-CV-2010-234. GNA finished the Mediation believing a Settlement Agreement was reached and negotiations were concluded.

On November 3rd GNA filed a Motion To Enforce The Settlement Agreement.

Final adjudication of the Settlement Agreement is now pending before the Thirteenth Judicial District Court, Honorable Judge John Pope. While a few particular details of the Agreement are in dispute, the uncontested expectation is that GNA will be assuming the responsibilities of the Homeowners Association for Las Maravillas Units II and III.

2. **Legal.**

a. **Renaming.**

i. **Neighborhoods.**

Unit labels will be replaced with proper names. A referendum will be held for the Owners of Record in Units II and III, respectively, to suggest new names. A second referendum will then be held for the membership to choose from the suggested names. Owners of Record from Unit II will vote on renaming Unit II, and Owners of Record from Unit III will vote on renaming Unit III.

b. **Covenants.**

The current Covenants were planned to be interim until refined by our Community. The Board of Trustees extends an open invitation for any member to participate on a team to draft the refinements. While tailored to the specifics of our Community, the legal model will be drawn from the American Law Institute and the Uniform Law Commission. Upon completion the draft will be submitted to our Association's Attorney, John McCall, for review. Once finalized, the revised Covenants will be submitted to our membership for item voting, and thereafter ratification.

c. **Articles Of Incorporation.**

Tax law requires that in the event of Dissolution of a Nonprofit Corporation the remaining assets be distributed to another nonprofit. Inadvertently, a Statement Of Dissolution was not included in our Articles Of Incorporation. The following Statement will be submitted to our membership for approval: *"Upon the dissolution of our Association, after satisfaction of accounts payable and provision for final obligations, the Trustees shall distribute the remaining assets to a nonprofit organization operated exclusively for the purposes of providing shelter to the homeless."*

d. **Bylaws.**

The current Bylaws were planned to be interim until refined by our Community. The Board of Trustees extends an open invitation for any member to participate on a team to draft the refinements. The legal model will be drawn from the American Law Institute's 'Restatement of the Law, Third, Property (Servitudes)'; the Uniform Law Commission's 'Uniform Common Interest Ownership Act'; the Uniform Law Commission's 'Common Interest Owners Bill of Rights Act'; and the American Association Of Retired Persons (AARP) "Bill Of Rights For Homeowners In Associations". While tailored to the specifics of our Community, the organizational model will be drawn from certain and select non-profit organizations. Upon completion the draft will be submitted to our Association's Attorney, John McCall, for review. Once finalized, the revised Bylaws will be submitted to our membership for item voting, and thereafter ratification.

end

