

Topics for 27 October 2024 MEEHOA Meeting

Item 8 on Agenda

1 Name change – what's the point?

2. Paving all roads. Everyone bought their property with dirt roads. Some of us wanted to live in the forest, not the city. Maintenance of paved roads is much more expensive than dirt road maintenance. The proposed large dues increases are due to paving and maintaining paved roads and are unwarranted. May we please have a detailed Treasurer's report so we can see exactly how the dues are being spent?

Illegal Short Term Rentals of MEE properties

It has come to my attention that some homeowners may be renting out space for Airbnb rental or are contemplating such rentals.

I believe this is contrary to the CC&Rs which are part of all property ownership's whether specifically stated in the deed or not. Such rentals are therefore illegal and any legal expenses associated with enforcing the CC&Rs must be paid by the homeowner conducting the business.

Specific excerpts from our CC&R:

[Recorded 29 July 1981](#)

[Docket 842 Page 413](#)

[For N 1/2 SE 1/4 SE 1/4 of Sec. 34, T22N, R7E](#)

RESTRICTIONS

1. Said premises, and each and every parcel thereof, shall be used for residential purposes only and shall not be used for any business purposes whatsoever.

...

11. Violations of one or more of the within Restrictions may be restrained by any court of competent jurisdiction and damages shall be awarded against such violation.

...

A possibly-inaccurate copy of the actual recorded CC&R is inserted below..

These restrictions must be enforced to maintain the character and property values of Mount Elden Estates. The board should inform all property owners and discuss this at each board meeting and request voluntary compliance.

And there are other restrictions in the CC&Rs that deserve the board's attention.

Please let all property owners know about the CC&Rs.

NOTE: This was typed by Phil Brunner from the original CC&R document and may not be accurate!

Recorded 29 July 1981

Docket 842 Page 413

For N 1/2 SE 1/4 SE 1/4 of Sec. 34, T22N, R7E

RESTRICTIONS

1. Said premises ,and each and every parcel thereof, shall be used for residential purposes only and shall not be used for any business purposes whatsoever.
2. Only two (2) buildings shall be built per two (2) acres of land and one structure shall be a single family residence having a ground floor area of not less than 1500 square feet. All structures shall be of new construction and must be completed within one year of commencement of construction. Commencement consists of starting a foundation. (For stem walls).
3. No parcel of land shall be subdivided into less than two (2) gross acres.
4. No mobile homes or trailers shall be placed upon the premises except temporarily, as may be necessary during the construction of improvements.
5. No nuisance, including, but not limited to, the storage of rubbish, equipment, or other materials or things which would destroy the character of the area will be permitted to exist on any parcel of land. Non-complying parties will reimburse complying parties for costs of enforcing compliance.
6. No horses, cows, chickens, sheep, hogs or other animals shall be kept or maintained on said parcel or any portion thereof unless the owner of the said animals has provided the facilities for proper care of such animals to the end that their maintenance will not be offensive to the neighboring landowners.
7. No property owner shall in any way divert drainage water in such a way that it will encroach or flow upon another's property.
8. No structure or portion thereof shall be located nearer than 50 feet from any property border line.
9. These declarations shall constitute covenants to run with the land, as provided by law, and shall be binding on all parties and all persons claiming under them, and shall act for the benefit of, and in limitation upon, all future owners of said property.
10. Said restrictions shall be and continue in force until October 1, 1985, at which time they shall be extended for successive periods of ten (10) years each, unless written consent of the owners of more than 51% of the total area contained in said property, as described supra, is obtained to change or eliminate them. Such written consent of the landowners does not have effect to change these restrictions, except at the end of the above-mentioned periods.
11. Violations of one or more of the within Restrictions may be restrained by any court of competent jurisdiction and damages shall be awarded against such violaton.

12. Should any of the provisions above be declared void or invalid, or if any should not be enforced, such action shall in no way affect the validity of the remaining provisions, and such non-enforcement shall not constitute a waiver as to future enforcement of any or all of such restrictions.

13. Cutting and/or trimming of trees, and general forest maintenance shall be in accordance with good, reasonable, forest practices, as determined by the Forester of the State Land Department of Arizona.

Signed 7/29/81 by Ralph W. Pepino, Owner.