

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

Adopted, November 16, 2022; Property list rev 12-12-2024

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 December 12, 2024, the following properties were purchased prior to Feb 15, 2007:

4071 S AMULET PL (2005)	1751 W CIRCULO DE LA PINATA (1999)
4111 S ANASTACIA CT (2001)	1301 W MARIQUITA ST (2002)
4123 S ANASTACIA CT 1993)	1319 W MARIQUITA ST (1994)
4199 S ANASTACIA CT (2005)	1587 W MARIQUITA ST (1999)
4171 S CAMPINA CT (2004)	1593 W MARIQUITA ST (1996)
4191 S CAMPINA CT (2000)	1599 W MARIQUITA ST (1996)
4127 S CONSTANCIA (2003)	1609 W MARIQUITA ST (1997)
4144 S CONSTANCIA (2004)	1641 W MARIQUITA ST (2006)
4150 S CONSTANCIA (1998)	4161 WESTCOTTA DR (1993)
4151 S CONSTANCIA (2002)	4181 WESTCOTTA DR (2004)
4141 S EMELITA DR (2004)	4191 WESTCOTTA DR (2006)
4191 S EMELITA DR (2000)	4235 WESTCOTTA DR (1994; inher 2021)
4209 S EMELITA DR (2004)	
4213 S EMELITA DR (2003)	
4217 S EMELITA DR (2004)	
1591 W ACALA ST (1996)	
1611 W ACALA ST (2006)	
1684 W CIRCULO DE LA PINATA (1994)	
1738 W CIRCULO DE LA PINATA (1996)	