

Cherry Hills Homeowners Association Attorney Meeting
December 3rd, 2019

Nestor called the meeting to order at 5:32 on 12/3/2019

Nestor explained the purpose of the meeting. Phase 1 is expiring soon, and we need to renew Phase 1. Nestor and Eldon went through the 3 phases, and compared the declarations and statements enclosed. Eldon pointed out that in the Phase 3 declaration, there is a listing of more lots than are actually covered by Phase 3.

The Attorney explained the difference between the assignment and declaration document.

Nestor then asked if the document filed last is the binding document, since that legally includes all lot numbers. Danielle is looking through the document, to make a determination if the last filed document. Danielle felt that it would be risky to assume that. Eldon asked if we can operate 'as if' it was binding, and Danielle said that it would not be illegal.

She suggested asking for a declaratory judgement, which we then discussed. Danielle discussed how a declaratory judgement works, and she discussed potential pitfalls.