

Board of Directors

Date Motion Emailed: December 8, 2023

SHHA MOTION FORM

I, Hugh Prather, move that: The attached SHHA Board Resolution, “**Sandia Heights Homeowners Association Resolution December 13, 2023 -- Universal Membership in the SHHA by All Lot Owners in the Sandia Heights Development,**” be approved and placed in effect immediately.

EXPLANATION/JUSTIFICATION (if necessary):

The Resolution brings SHHA into compliance and conformity with the 2013 New Mexico Homeowners Act and will go into effect January 1, 2024. *Typo - will take effective 1-1-2025*

/s/ Hugh Prather

Signed: _____

Seconded: Phil Krehbiel

SECRETARY’S RECORD:

No. 2023 - Dec - 13 - #003 - EC

(year - month - day - # Committee)

Voting by: Show of Hands X - In Favor 12 Opposed _____

Unanimous Vote? Yes _____ No X

Adopted Postponed Amended Lost Tabled
Referred to Committee (which one) _____

ACTION REQUIRED: POC _____ **DUE DATE** _____

DISPOSITION (circle): By Laws to be revised accordingly and placed in the Resolutions Folder in the SHHA Community Documents.

Form Version: 8-4-22

12/13/2023 meeting:

Question was called: Vote taken by show of hands: 12 in favor, 1 abstention. Motion carried.

**Sandia Heights Homeowners Association
Resolution
December 13, 2023**

**Universal Membership in the SHHA by All Lot Owners in the
Sandia Heights Development**

Whereas on May 8, 1965, the first Covenants, Conditions and Restrictions (CC&R's) for Unit 0 of the Sandia Heights Development were created and;

Whereas the last large undeveloped section within the Sandia Heights Development has been planned, built, and completed in 2023 as the final unit and is now designated Hawks Landing and;

Whereas all units in the Sandia Heights Development have CC&R's which provide for an Architectural Control Committee (ACC) to maintain the architectural integrity of the Development and protect the Development's environment and;

Whereas all units in the Sandia Heights Development have CC&R's which provide for a Covenant Support Committee (CSC) to enforce the CC&Rs in all units in the Development and;

Whereas on July 24, 1975, the lot owners of the Development created the Sandia Heights Homeowners Association (SHHA) as a New Mexico non-profit corporation, the purposes of which are to "provide for the services, improvement, beautification, and maintenance" of the Development and;

Whereas two of the primary services of the SHHA are the ACC and the CSC which provide services to all units in the Development and;

Whereas in 2013 New Mexico legislation was enacted related to Homeowner Associations which provided that "The membership of the association shall consist exclusively of all lot owners in the development...." and;

Whereas currently, of the 2,239 lots in the Development, 1,872 lot owners voluntarily pay membership dues to SHHA (83.6%), and 367 (16.4%) do not pay dues to SHHA and;

Whereas those owners who do not pay dues are still receiving all the benefits and services provided to dues-paying members by the ACC and the CSC, therefore, be it resolved:

Resolved, that the Sandia Heights Homeowners Association (SHHA) Board of Directors

1. approves the creation of a process of formally and legally requiring, and notifying, all lot owners that universal membership in the SHHA by all lot owners in the Development includes the obligation to pay membership dues, and that such obligation be put in place no later than January 1, 2025, and;
2. the SHHA bylaws be modified to clearly state that all lot owners within Sandia Heights Development are dues-paying members of the SHHA.

Moved by: Hugh Prather

Seconded by: [Phil Krehbiel](#)

In Favor: [12](#) Opposed: [0](#)

Abstentions or not voting: [1](#)

Motion

Date: December 13, 2023