Rancho Santa Fe Association  
Board of Directors  

RESOLUTION #2017-122  
Dated: December 15, 2017  

BOARD RESOLUTION FOR EASEMENT DISCLAIMER REGULATION

WHEREAS the Board provided the notice required by the Davis-Stirling Common Interest Development Act of its intention to adopt an easement disclaimer regulation and the proposed text thereof;

WHEREAS the Board has received certain input on the proposed easement disclaimer regulation and has made certain changes thereto;

RESOLVED that, the attached easement disclaimer regulation be adopted and upon adoption, Covenant Design Review Committee Policy No. 13 will be repealed; and

FURTHER RESOLVED that the Secretary is directed to post this Resolution without the attachment at the locations used by the Association for general notices.

***************

I hereby certify that the foregoing Resolution was adopted by the Board of Directors of the Rancho Santa Fe Association at a regularly scheduled meeting duly called and held on December 15, 2017.

Dated: ______________  

Bob Hall, Secretary  
Rancho Santa Fe Association
EASEMENT DISCLAIMER REGULATION

The granting of a project approval and issuance of a construction permit by the Rancho Santa Fe Association (the “Association”) is not an opinion as to the validity or scope of any rights that the applicant may (or may not) possesses to use or improve an easement that may affect the applicant’s property, and the Association does not render an opinion or provide any interpretation of the terms or conditions of such easement. The granting of a project approval or a construction permit by the Association does not affect or change the rights or duties of the parties to any public or private easement, including, but not limited to easements for access, driveways, right-of-way, conservation, construction, development, ingress/egress, parking, roads, utilities or other purposes. Driveways, roads, retaining walls, fences, walls, and other structures and improvements that are erected and maintained upon such easement areas are at applicant’s own risk. The Association disclaims any liability or responsibility for such improvements. If it is determined that the applicant does not have the right to use or improve the easement, the applicant may be required to move or remove structures or improvements located within the easement. The Association will provide notice to each party to an easement promptly upon the granting of a project approval and issuance of a construction permit which may affect such easement.

The substance of this regulation shall be added as a standard condition to construction permits.

Adopted December 15, 2017