



941609

Kathleen Neel - Summit County Recorder

4 Pages

6/29/2010 3:29 PM

DF: \$0.00

MINUTES OF ACTION BY CONSENT OF
THE BOARD OF DIRECTORS OF SPRUCE VALLEY RANCH
FOUNDATION

February 21, 2009


The undersigned, all being directors of the Spruce Valley Ranch Foundation, waive notice of a meeting and take the following action by unanimous consent:


WHEREAS, the Spruce Valley Ranch Foundation Ranch Rules dated November 8, 2004, include Appendix A, Horse Stable Usage Rules, on pages 12 and 13, which are to be replaced by Appendix A, Horse Stable Usage Rules, adopted by the SVR Foundation on February 21, 2009.

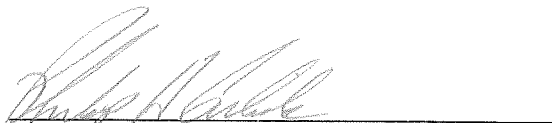
NOW, THEREFORE, BE IT RESOLVED:


That the Appendix A replacement document dated February 21, 2009, be recorded with the Summit County Clerk and Recorder.

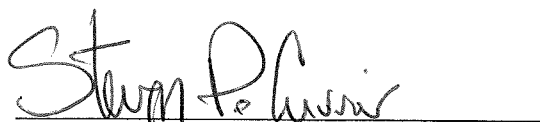
IN WITNESS WHEREOF, the undersigned members of the Spruce Valley Ranch Foundation Board have evidenced their approval of the above proceedings as of the 21st day of February 2009.

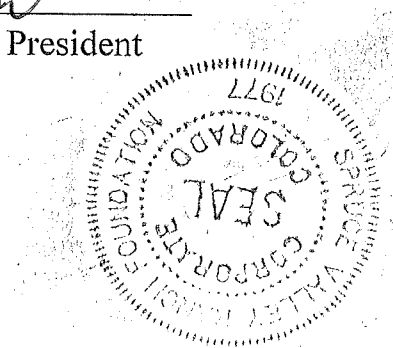

Tom E. Roe, President


Georgianna Fernandes, Secretary


Philip H. Carlisle, Treasurer


Larry A. Andersen, Vice President


Steven P. Currier, Vice President



Appendix A

SVR HORSE STABLE USAGE RULES

For the purpose of this section, the Ranch's Stable (including any equipment and property therein) and surrounding area (including any structures thereon) shall be referred to collectively as the Horse Stable (Stable). Additional rules and instructions for usage of the Stable are contained in the Foundation's Ranch Rules (Section III. B.) and Horse Stable Usage, Waiver, Release and Indemnification Agreement (the "Agreement").

The Stable Agreement, the Usage Rules "Appendix A", the Foundation's Ranch Rules, along with any other notices specific to the stables shall be made available to all residents. Any new Owner(s) of property in Spruce Valley Ranch shall be provided, through action of the Board, copies of Agreements, Rules and notices relative to horse ownership and accommodations at the Stable prior to March 1 of the year of purchase, or at or immediately after purchase or closing, if closing is after March 1.

Any Owner desiring to keep a horse or horses at the Stable must notify the Stable Manager, who is appointed by the Foundation Board, by March 1 of each year, indicating the requested number of horses to be brought to the Stable and the Owner's request of stall and paddock needs. An Indemnification Agreement holding the Foundation harmless must be executed at the time of, or before a stable space request is made. A property Owner may keep one horse at the Stable. If space is available, additional horses may be kept at the Stable, once the Stable Manager has evaluated space and subsequently grants specific permission to an Owner to have more than one horse. Any Owner desiring to board horses will be assured of the ability to board at least one horse, based on a current capacity of ten horses for all Owners. If more than ten spaces are needed, consecutive use seniority will determine which horses are boarded. Consecutive use seniority means the consecutive number of years an Owner has boarded a horse at the Stable. In no case shall an Owner be allowed to board more than one horse at the exclusion of those who wish to board their horse. Property Owners reserving a space, or spaces at the Stable will be allocated for charges during the season relative to that space, whether an animal is present or not. If an Owner boards no horse(s) at the Stable, but pays their pro-rata share of the expenses of the Stable charged to Owners, it shall be considered in consecutive seniority calculations. An Owner's pro-rata share shall be based on the number of horses that the Owner would normally board at the Stable. The Stable Manager will assign stall and paddocks respecting the Owner's consecutive use seniority, and the needs of the animals stabled. It shall be the Stable Manager's right and duty to resolve conflicts based on best judgment and understanding of the needs of Owners and horses. Should an Owner NOT notify the Stable Manager by March 1 of the Owner's desire to keep horse(s) at the stable, then it shall be the Stable Manager's right to deny space availability to that Owner.

Each Owner/stable user must provide to the Stable Manager, by May 1 of each year, a \$500.00 deposit in the form of a personal check made out to the Stable Manager. These

monies will be held until the end of the season or November 15, when all or partial payment will be returned with an accounting of any expenditures or amounts retained. The money can be used during the season to correct any failure to comply with the Ranch Rules, and can be used to apply toward reimbursement of legal fees in the event action needs to be taken for any rules violation. The Owner's deposit money can also be used if it is deemed necessary by the Stable Manager, to cover acts of negligence or misuse of the Stable by the Owner, and/or for the care of animals or facility, such as, but not limited to, the removal of manure or veterinarian expenses. The money will not be used for budgeted items.

All horses must be healthy at all times and shall have a current Coggins vaccination. A health certificate from a licensed veterinarian showing that a horse has been properly vaccinated is required prior to moving any horse into the Stable. If there is a contagious condition at any time during a horse's stay, the Stable Manager will notify other Stable users and, if a veterinarian deems it necessary, the Owner of the affected horse will be asked to remove or isolate the horse during its recuperation.

All Owners must supply, or accept the Stable Manager's recommendation, to provide a local veterinarian's name and phone number in the case of an emergency. If the Owner cannot be reached and a horse needs care, the veterinarian will be called and the Owner will be responsible for any fees associated with such care.

All feeding and care of a horse are to be performed by the horse's Owner or his/her representative. Other Owner's and visitors should refrain from feeding others' horses unless requested to do so. All grain is to be stored in the feed room, and hay is to be stored in the hayloft, unless the Stable Manager designates alternative storage areas. All grain will be stored in cans with secured lids. If necessary, the Stable Manager will assign areas. Exercise and grooming of horses is the sole responsibility of the Owner. The Foundation is not responsible for the health and safety of any horses or people on the grounds.

Sanitary conditions must be maintained. The Stable and grounds must be kept in a neat and orderly fashion. No accumulation of trash is allowed and all wire and baling twine must be disposed of in a trash container. All stalls and corrals must be cleaned of manure daily. Riders must remove manure dropped on any asphalt road in the Spruce Valley Ranch within four hours and no later than dark on the day of the incident. Riders using the horse-training ring must clean up the area in and around the ring after each use.

Wheelbarrows, shovels and rakes are furnished by the Foundation and manure is to be put into the dumpster. The Foundation provides water troughs and hoses to hook up to the water pump at the northeast corner of the Stable. Owners must remove hoses from the driveway and trails when not in use. All other tools, food and supplies must be furnished by Stable users. The Foundation's annual expense budget is intended solely for capital improvements and ordinary facilities maintenance and repairs, as determined by the Board, in coordination with the Stable Manager. The Foundation's budget expenditures are not intended for the care and feeding of horses.

Damage to any property or facility caused specifically by any Owner/Owner's Family/Guest(s) horse(s) shall be repaired by the Owner/Owner's Family/Guest at his or her cost. No changes are to be made to Stable property that are not approved in advance by the Board. Every effort will be made to keep all stalls and paddock areas the same with as little benefit for one stall or paddock area over others as possible.

Stable users are expected to be respectful of other users' horse(s) and property. Owners must keep their personal property in their assigned areas and such property is not in any way to interfere with others' use of the facility. Owners/Owner's Family/Guest(s) are expected to be courteous and accommodating toward others in pursuit of peaceful coexistence at the Stable. It will be the right of the Stable Manager to request, in writing, that any Owner not in compliance with the Horse Stable Usage Rules immediately come in compliance with the Horse Stable Usage Rules. If the Owner does not correct a noted situation of non-compliance, it shall be the right of the Stable Manager to request that the Owner and Owner's horse will immediately vacate the premises for non-compliance. All personal property stored in tack rooms shall be kept at the Owner's risk. All personal property shall be removed by November 15 of each year, unless specific arrangements, in writing, are made with the Stable Manager.

The Foundation is not responsible for loss or damage to personal property stored at the Stable. Any personal property stored at the Stable that is unrelated to the care and use of a horse may be removed by the Foundation, or the Stable Manager with Foundation consent, and discarded with a two week notice to the Owner by confirmed email or certified letter. All Stable gates and doors are to be kept closed and latched at all times. No flammable materials may be stored at the Stable while horses are present. No smoking or fires are permitted at any time anywhere in or around the Stable.

Any parking at the Stable is done at the Owner's/Owner's Family's/Guest's own risk subject to State laws. No parking is allowed to block access to the Stable, dumpster, training ring or any trailers parked there. Horse Trailers shall be parked within the Stable grounds, or in the designated parking area east of the Stable. The Stable Manager will have the option to make trailer parking assignments. Trailers and vehicles are not to be parked at the Stable cul-de-sac, except for loading and unloading of horses.

None of the Ranch's trails are dedicated exclusively for horse riding. Accordingly, horse riders should be aware of the possibility that they may encounter foot traffic/or bicyclists on any of the trails and be prepared to react accordingly. Rules and trail courtesy as set forth by the U.S. Forest Service on trails that run through Spruce Valley Ranch shall prevail on the Ranch's trails.

Owners and Stable users shall always have the right to an immediate appeal to the SVR Board regarding issues not specifically addressed by these Usage Rules, or issues with respect to which there is a dispute as to the interpretation of the Usage Rules.