

*(Please have reviewed by the association's corporate counsel before adoption and distribution)*

## **THE BEST COMMUNITY ASSOCIATION IN TOWN**

### **TRANSITION COMMITTEE CHARTER**

WHEREAS, the Bylaws of the Association (Article 11) authorize the Board of Directors to establish such committees as necessary; and

WHEREAS, the Board of Directors has determined that the best interest of the membership would be served by the establishment of charters for all Committees for the purpose of providing direction and functioning roles to those volunteers; and

WHEREAS, the Transition Committee is critical to establish during the initial development of the Association and any adjacent properties. The Board also understands the need for a Committee to work with the Developer to properly transition the Association from Developer control to owner control.

WHEREAS, the Committee shall perform their duties in accordance with this Board Resolution # \_\_\_\_\_, of the Committees Resolutions, until resolved otherwise by the Board of Directors;

NOW, THEREFORE, LET IT BE RESOLVED, by the Board of Directors that the following Transition Committee Charter is directed as follows:

1. The Committee shall consist of at least three (3) members, but no more than five (5).
2. The Committee shall become familiar with development plans, plats, agreements and maps and shall monitor The City of \_\_\_\_\_ Architectural, Planning and City Council meetings for any issues which may affect the Association.
3. The Committee shall research to see if any Maintenance Agreements were entered into by the Developer with any other entities whether City, County or the private sector. Copies of those agreements will be obtained and given to the Board for the official records of the Association.
4. If the Developer wishes to walk the property with the current non-developer owners for transition of common areas to the Association, the Transition Committee will work with Management to do so, but will not sign any documents accepting the property. Punch lists may be created, but no forms or document signing will be done after completion of those punch lists. Any official acceptance or signing of documents shall be the responsibility of the Board, who will not do so without Corporate Counsel advice. The Committee will report, in writing, to the Board through the Management Company of any meetings at which any association development issues or transition issues were discussed, or any potential decisions requested by the Developer.
5. If the Committee feels that it is important to involve the Board, they will advise Management that it is critical that a special notice be sent to each Board member advising of the need for their involvement.
6. Until the properties have been completely developed, the Committee will provide a quarterly written report to the Board for use and update at their Board meetings. The report will request any help from the Board or the Association which is necessary to ensure that transition is moving towards what would be in the best interest of the Association.

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7. The Committee will understand that they *do not* have any negotiating authority to represent the association with the developer unless expressly advised, in writing, by the Board of specific authority and direction.
8. Current NRS 116 provisions will be followed in seeking documents and ownership of property and the attached inventory of documents and items will be used in seeking such documents. If any documents listed on the inventory are not available, the Committee will request a letter from the Developer stating which documents are not available and their reason for not providing the same. This will include those items that are detailed in current Nevada law requirements.
9. The Committee understands that they do not have the authority to sign any releases or accept any property as this should be brought to the Board for their decision and action.
10. The Committee will use the Recorder's Office maps to determine which parcels are to become common area and will work with Management and the Board to ensure that deeds are received for each parcel in each phase. If funds are to be paid to obtain these documents from a title company or other source, the Committee shall address the Board with estimates before proceeding to incur the costs.
11. The Committee will research the Recorder's Maps to locate any Easements that may exist on the property to see if the Association has maintenance responsibilities for any property not owned by the Association or visa versa.
12. The Committee will also ensure that proper annexation of lots and parcels was conducted to ensure that all lots are part of the Association. This will be accomplished through research of recorded annexation agreements.

This resolution is adopted and made a part of the minutes of the \_\_\_\_\_, 2015, Board of Directors meeting.

BY: \_\_\_\_\_  
President

ATTESTED BY: \_\_\_\_\_  
Secretary

(Attached Documents Checklist Here)