

## RESOLUTION

WHEREAS, Section 17 (Use and Occupancy Restrictions) of the DECLARATION OF HORIZONTAL PROPERTY AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SCOTTSDALE SHADOWS VI (commonly known as CC&Rs but referred to herein as the Declaration), provides in part:

"No owner shall keep or maintain any thing or shall suffer any condition to exist in his Unit or cause any other condition on the Property which materially impairs any easement or right of any other owner or otherwise materially impairs or interferes with the use and enjoyment by the Owners of their Units and the Common Elements. Subject to the foregoing, pets that have been grandfathered in as provided below may be kept in a Unit, but no such pets shall be bred or allowed loose or unsupervised on any part of the Property. Walking of pets shall be prohibited except at such times and on such portions of the Property as the Board may permit by its rules and regulations, and all such pets shall be leashed"; and

WHEREAS, Section 17 of the Declaration provides that the Regime may modify or waive the restrictions contained in Section 17, or otherwise restrict and regulate the use and occupancy of the Regime property and the units by reasonable rules and regulations of general application adopted by the Board of Directors; and

WHEREAS, the Board of Directors believes that for the health, safety, welfare and comfort of the residents of Regime VI, the existing policy should be modified and revised;

NOW, THEREFORE, IT IS RESOLVED, by the Board of Directors of Scottsdale Shadows VI, Inc. that pursuant to the foregoing, and in order to comply with the views and preferences of the unit owners and other residents of the Regime, the use and occupancy restrictions contained in Section 17 of the Declaration are hereby modified to PROHIBIT the keeping of pets including dogs, cats or other animals, and reptiles or birds of any kind, in any unit of Regime VI, or in the common elements of the Regime, except for those pets kept in units at the time of the adoption of this resolution, namely, March 15th, 2010. "Seeing Eye" dogs properly licensed according to law and possessed and maintained by Regime residents certified as being legally blind and requiring a "Seeing Eye" dog to move about, and dogs properly licensed, possessed and maintained by persons who are impaired of hearing and requiring a "Seeing Eye" dog to move about, may be maintained.

With respect to those grandfathered pets kept in Regime Units prior to March 15th, 2010, (the date of the adoption of this resolution), the requirements and restrictions set forth in the resolution adopted by the Regime Board of Directors on March 23, 1994, shall continue to apply including but not limited to the following:

### WITH RESPECT TO GRANDFATHERED PETS

1. Pets shall be leashed, accompanied by and under the control of a responsible person while on the grounds of Regime VI or on the common areas of Scottsdale Shadows Recreational Center, Inc.
2. Pets shall not be permitted to walk or run in the hallways, stairways, elevators and lobbies of the Regime buildings. They shall be carried

by their owners or other responsible person when in hallways, stairways, elevators and lobbies of the Regime buildings, or carried in an acceptable carrier approved by the Regime

Owners of pets are responsible for maintaining proper sanitation in regard to their pets and shall immediately remove and properly dispose of any droppings or excrement from their pets.

3. The policy with respect to those pets kept in Regime units prior to March 15th, 2010, i.e. those that are "grandfathered", shall be strictly adhered to. A violation thereof shall subject the owner and/or tenant of a unit where a pet is kept to a fine or other appropriate sanction, or both as determined by the Regime Board of Directors.
4. This Resolution shall not violate any Federal, State or Local law or ordinance. In the event of such violation the Federal, State or Local law or ordinance shall prevail.

FURTHER RESOLVED, (a) that if a pet is kept in a unit of Regime VI prior to the adoption of this resolution, to-wit, March 15th, 2010, said pet shall be deemed as grandfathered, for the purposes of this Resolution. If any interest in the unit in which the grandfathered pet is kept is transferred to another person(s) or other entity, prior to or after March 15th 2010, by sale gift, lease or other means of conveyance, or occupied by anyone other than the original owner of the pet, then and in that event, the transferee, or new occupant of the unit in which the pet was originally kept shall not be entitled to keep and maintain said pet or another pet in the unit. If a person moves into another unit in Regime VI then the pet originally maintained by said person(s) shall continue to be grandfathered subject to the restrictions contained in this resolution. If a pet is not grandfathered pursuant to the provisions of this Resolution then said pet shall be removed from the premises and from the common elements of Regime VI, IMMEDIATELY. In the case of a "grandfathered" pet, the owner(s) and/or occupant(s) of a unit in which a pet is kept shall have the right to keep said pet in that particular unit for so long as they continue to occupy the unit, and (b) in the event said grandfathered pet shall pass away or be given away, or otherwise, no new pet shall be allowed to be maintained in the Unit, or another Unit in which the Owner or Tenant may then or thereafter occupy.

IT IS FINALLY RESOLVED, that all owners and other residents of units in Regime VI be notified of this change in policy pertaining to pets by:

1. Posting a true copy of this resolution on the Bulletin Board of each Regime building.
2. Including a true copy of said resolution in the next mailing to the

- unit owners and other residents of Regime VI
- 3. This resolution shall become effective at 12:01 AM, March 16<sup>th</sup>, 2010
- 4. Owners or tenants who maintain a grandfathered pet as provided in this Resolution shall register said pet with the RCI Registration and Records Department. Such registration and Grandfathering shall be permitted and valid only if proof of Licensing, vaccination , together with proof of liability insurance in an amount no less than \$75,000.00. A certificate of such insurance shall be provided to the Records and Registration Department.

Dated: March 15th, 2010

Board of Directors  
Scottsdale Shadows VI, Inc.

Approved by:

*[Handwritten Signature]* Pres.

*[Handwritten Signature]* Ruth Albers

*[Handwritten Signature]* Marjorie H. Beymer

*[Handwritten Signature]* Marilyn Greenberg