

*Memorandum of Understanding Concerning Areas of Shared Interest and Responsibilities between the Rancho Rio Vista Property Owners Association (RRVPOA) and the Carmel Views Community Association (CVCA)*

*Revised June 28, 2015*

Purpose:

- A. To establish guidelines for current and future Boards concerning on-going communication
- B. To renew/rewrite an agreement pertaining to all areas where the two Associations have a shared interest

I. Communication

- A. Annually, following the election of a new Board, each Association shall supply the other with a current contact list, including emails and phone numbers for all Board members and officers.
  1. RRVPOA will send their information to:  
Carmel Views Community Association  
PO Box 22052  
Carmel, CA 93922  
Or email to: cvcaboard@gmail.com
  2. CVCA will send their information to:  
Rancho Rio Vista Property Owners Association  
PO Box 221844  
Carmel, CA 93922  
Or email to: rrvbod@gmail.com
- B. Further communication is encouraged on items of common interest such as crime prevention, lost pets, fire abatement, graffiti, traffic and speeding problems.
- C. It is recommended that there be informal meetings between representatives of both Boards twice a year.
  1. One meeting should take place by May 31<sup>st</sup> when the new RRVPOA Board has settled into their new term.
  2. A second meeting should take place by October 31<sup>st</sup> to give the CVCA Board adequate time to include new expenditure proposals in their annual budget.
- D. The treasurers of the Associations shall meet by February 15<sup>th</sup> to reconcile accounts for the previous year. Each treasurer shall total the bills paid for work in the areas of shared interest during the preceding year, make copies of all receipts, and give copies of the receipts to the treasurer of the other Association. The treasurers will then determine the amount of a payment from one Association to the other so that both Associations pay their share of

the costs, as described below. That payment shall be made promptly (within 30 days).

## II. Areas of Shared Interest - Description and Ownership

- A. The wall and the landscaping behind it at Rio Vista Drive and Canada Drive, to be referred to in this document as "the entry garden"
  - 1. County right-of-way and private property of two homeowners within Rancho Rio Vista (Monterey County Assessor parcel numbers 015-042-010-000 and 015-042-009-000)
  - 2. Documents granting homeowner permission for maintenance access are current as of August 2013.
- B. The walls and landscaping in the east and west plots of land at Carmel Valley Road and Rio Vista Drive, to be referred to as "the east and west walls"
  - 1. CVCA common area (Monterey County Assessor parcel numbers 015-044-016-000 and 015-043-025-000)
- C. The vegetated area and gravel turnouts along both sides of Canada Drive between the entry garden and the landscaped island, the west side of Canada Drive between the landscaped island and Outlook Drive, and the south and west sides of Canada Court, to be referred to as "the Canada Drive vegetation".
  - 1. County right-of-way, private property of several homeowners within Rancho Rio Vista, and CVCA common area
- D. The landscaped island between the two lanes of Canada Drive
  - 1. County right-of-way

## III. Routine Maintenance Costs

- A. The Associations shall share routine operational and maintenance costs for all areas of shared interest. CVCA shall pay 54% of the costs and RRVPOA shall pay 46%. However, before reconciliation, each Association will be responsible for paying bills as described below.
- B. RRVPOA shall be responsible for paying the following bills: PG&E bill for the street light (PG&E account # 2565975821-0) and gardening services for the entry garden.
- C. CVCA shall be responsible for paying the following bills: Cal-Am water bills (Account #05-0319659-4) and maintenance and weed control of: the east and west walls, the Canada Drive vegetation, and the landscaped island between the two lanes of Canada Drive.
- D. Since both Associations will pay a portion of all routine maintenance costs, bids for this sort of maintenance must be submitted to the President and Treasurer of both Association and approved by them before the expense is incurred. A written record of such approval shall be saved and recorded.

- E. 1. Routine gardening services for the entry garden and east and west walls, billed monthly, shall include: weeding, trimming, checking irrigation system and making minor repairs, removing invasives, and hauling away cut weeds & brush. This will be serviced by a licensed and insured landscape contractor. Both RRV and CVCA shall review and approve the contract, which shall be signed by the Presidents and Treasurers of both organizations.
- 2. Tasks such as fertilizing, use of Round-Up, and spreading of mulch, are approved no more than twice a year at a max. cost of \$500/year. These occasional services will be invoiced as they occur. The contracts for these services will be arranged with the current entry garden service, and the costs revised as needed over time.

IV. Less Frequent Routine Maintenance requiring approved bids:

- A. CVCA shall pay 54% and RRVPOA shall pay 46% of less frequent "routine" maintenance, such as:
  - 1. Power washing and painting the three entry walls.
  - 2. Major repairs to the irrigation system, walls or entry garden planting.Bids for this sort of maintenance must be submitted to the President and Treasurer of each Association and approved by them before the expense is incurred.

V. Cost-Sharing for Unusual or Non-Routine Maintenance or Improvements

- A. Each Association will notify the other and seek its approval to share costs before committing to non-routine maintenance or improvements. Written bids must be presented. Agreement for all non-routine shared expenses must be documented and signed by the President and Treasurer of both Associations.
  - 1. Initial notification can be a phone call to the Board President. Following the initial phone call, there must be a written notification by email or mail that includes the details and expenses of the proposed project.
  - 2. If consensus is not reached for sharing the costs of a proposed non-routine expenditure, then the Association promoting the expenditure must be prepared to pay 100% of the cost.

VI. Revision of MOU:

- A. RRV POA and CVCA agree to periodically review the agreement and make changes and refinements as deemed necessary, such review to occur at least every two years.
- B. If either RRV POA or CVCA desire to make changes to this agreement, the Boards of both organizations shall meet to discuss further revisions to make the agreement a better document for both parties.

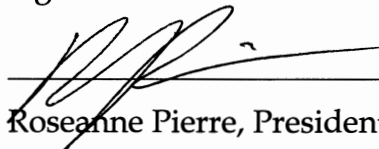
VII. Termination of MOU:

Prior to termination, the Boards of both organizations should meet to discuss revisions that would eliminate the need for termination. If such discussions are not successful within forty five days, the parties shall proceed with termination.

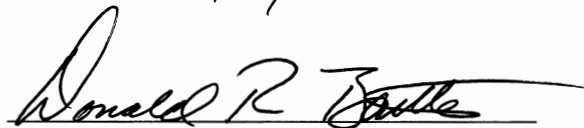
Either Association can terminate this Memorandum of Understanding one month after giving notice to the other Association. Expenses will continue to be shared as described in this document until termination. The treasurers of the two Associations will meet within 15 days after termination, or after the final shared bills have been received, to determine the amount of a payment from one Association to the other so that both Associations pay their share of the costs as described in this document. That payment shall be made within 30 days of the meeting. Following termination, each association shall assume responsibility and maintenance of the properties within their own Association boundaries.

This agreement shall take effect upon the date of the final signature obtained below.

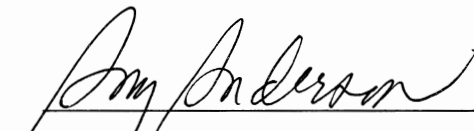
Signatures:

  
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Roseanne Pierre, President RRVPOA

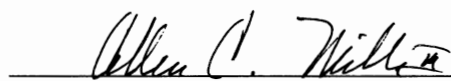
Date: 7/10/15

  
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Don Battles, Treasurer, RRVPOA

Date: 10 July, 2015

  
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Amy Anderson, President CVCA

Date: July 10, '15

  
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Allen (Bud) Miller, Treasurer, CVCA

Date: July 10, 2015