

**UNANIMOUS CONSENT RESOLUTION IN LIEU OF MEETING
BY THE BOARD OF TRUSTEES OF THE
VERRADO ASSEMBLY**

COMMON AREA RESTRICTIONS – LEVEL TWO AND THREE SEX OFFENDERS

The undersigned constituting all of the members of the Board of Trustees of Verrado Assembly (“Assembly”), an Arizona nonprofit corporation, hereby take the following action without a meeting pursuant to A.R.S. §10-3821 and the Bylaws of Verrado Assembly at Chapter 4, Section 4.11, which action shall have the same force and effect as if taken at a meeting.

WHEREAS the Board of Trustees is authorized to adopt rules and regulations concerning the Areas of Assembly Responsibility pursuant to Chapter 4, Section 4.13 of the Assembly’s Bylaws;

WHEREAS A.R.S. §13-3821 et seq. was adopted on June 1, 1996 (the “Mandatory Registration Law”);

WHEREAS the Mandatory Registration Law requires certain individuals to register with the State of Arizona as a sex offender;

WHEREAS the Association has determined that registered sexual or violent offenders who are classified as level two or level three offenders (“Registrants”) present an unreasonable danger to the Owners and residents of the Verrado® community due to their access to the common facilities and areas of the Assembly to which all Owners and residents have shared access and which expose the Owners, residents, and others (particularly children) to contact with a Registrant on a frequent and continuing basis;

WHEREAS the Assembly has concluded that such potential exposure warrants that all Registrants shall be prohibited from entering, occupying, or using the Assembly’s common facilities and areas;

BE IT THEREFORE RESOLVED, that the Board of Trustees hereby adopts the following policy, subject to change from time to time by the Board:

Each owner, member, lessee, resident, guest or any other party present within the Verrado® community who is classified as a level two or level three offender (a “Registrant”), or who has been convicted of an offense committed in another jurisdiction that if committed in this state would be an offense as enumerated in A.R.S. §13-3821, who is required to register pursuant to A.R.S. §13-3821, and who is classified as a level two or three offender is prohibited from entering, occupying, or using any of the Assembly’s common facilities and areas, including Areas of Assembly Responsibility.

Any violation of this rule shall be subject to all enforcement mechanisms outlined in the Assembly’s governing documents, or Arizona law, which includes but is not limited to the imposition of monetary penalties and/or the filing of a lawsuit to seek compliance with this rule.

Property ownership and sex and violent offender registration information are constantly changing and may not be updated promptly or accurately by those entities required to maintain such information data. The Assembly is not responsible for maintaining this data, and therefore the Assembly is not responsible for any errors or inaccuracies in property ownership or registry information. Nothing in policy shall create an affirmative duty on the Assembly or the Verrado Community Association, Inc. (the "Association") to monitor or inform residents of the presence of a sex or violent offender in the community, nor does it establish any affirmative duty on the Assembly or the Association to pursue injunctive relief or to enforce any other provision of this policy. Therefore, neither the Assembly nor the Association shall be liable to any Owner, resident, occupant, guest or other invitee as the result of the Assembly's failure, or alleged failure, whether negligent, intentional or otherwise, to monitor for the presence of sex or violent offenders in the Verrado® community, to notify any Owner, resident, occupant, guest or other invitee of the presence, residency or occupancy of a Registrant in the Verrado® community or to pursue injunctive relief or to enforce any provision of this policy. Residents concerned about the presence of Registrants in the Verrado® community are charged with the duty and responsibility to regularly monitor on their own all mandatory online registries for such information.

IN WITNESS WHEREOF, the undersigned members of the Board of Trustees of Verrado Assembly, an Arizona nonprofit corporation, attest that the foregoing Resolution was adopted by the unanimous consent of the Board of Trustees of the corporation without a meeting pursuant to A.R.S. §10-3821, which action shall have the same force and effect as if taken at a meeting.

Dated effective as of the 31st day of May, 2017.

DIRECTORS:

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Todd Hornback
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Todd Hornback

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