

GRASS MESA HOMEOWNERS ASSOCIATION 13-02
Resolution to Approve Settlement Agreement with Encana

WHEREAS, the Grass Mesa Homeowners Association ("Grass Mesa") and Encana are parties to a dispute regarding the condition and maintenance of certain roads located within the Grass Mesa Subdivision (the "dispute"); and

WHEREAS, on April 6, 2013, a majority of voting members voted that Grass Mesa should participate in mediation with Encana to try and settle the dispute, and the Board of Directors of Grass Mesa ("Board Members") have exclusive and binding authority to settle the dispute on behalf of Grass Mesa; and

WHEREAS, in July and August of 2013, the Board Members participated in a mediation with Encana and reached a settlement of the dispute; and

WHEREAS, after negotiations between Grass Mesa and Encana, the parties created a written settlement agreement ("Agreement"); and

WHEREAS, although there was no requirement for the Board Members to do so, the Board Members sent the Agreement to all homeowners, and an informal meeting for all homeowners was held on December 14, 2013, at which time the Agreement was discussed and the homeowners in attendance had the opportunity to comment on the Agreement and ask questions regarding the Agreement; and

WHEREAS, the majority of the homeowners present had no objections to the acceptance by the Board Members of the Agreement; and

WHEREAS, the Board Members are satisfied that the Agreement is in the best interests of Grass Mesa in settlement of the dispute with Encana; and

WHEREAS, the Board Members hereby authorize Rebecca Brock, as President of Grass Mesa, to have exclusive and binding authority to sign the Settlement Agreement on behalf of Grass Mesa.

THEREFORE, be it RESOLVED, that the Grass Mesa Homeowners Association shall enter into the Settlement Agreement with Encana, attached hereto as Exhibit A, and that Rebecca Brock, as President, shall have the authority to sign the Agreement on behalf of Grass Mesa Homeowner's Association.

ADOPTED this 8 day of December, 2013.

GRASS MESA HOMEOWNERS ASSOCIATION

By: Michael Men

ATTEST:

AK chaf T m lin