



GRANT COUNTY DOS GRIEGOS HOMEOWNERS' ASSOCIATION II
POST OFFICE BOX 2912, SILVER CITY, NEW MEXICO, 88062

October 16, 2020

Dear Homeowners of HOA II,

It was recently brought to the attention of the Board that utilization of the tramway in Common Area B by motorized vehicles was in violation of the covenants. We consulted with the Board of HOA IV in order to understand the historical intent of the tramway as to whether it is a walking path or a roadway. We share both Common Areas A and B with HOA IV.

The covenants are clear as to the utilization of the tramway, it is a walking path and is not to be utilized by motorized vehicles. The covenants, specifically Article VII, Other Restrictions, Section 7.6, Vehicles, Garages states the following:

"No vehicle of any type, motorized or otherwise, shall be operated on any Common Area except the roadways. No automobile or other motor vehicles shall be parked on any Common Area or along the roadways."

Regarding what constitutes a roadway, the Third Amended Disclosure Statement 200505656, book 267, page 5658, 3-18 related to plat maps and commitments of the Developer states the following:

"All roads within the subdivision will be asphalt, type B roadways, 1994 Grant County Subdivision regulations. Swan Street and Cottonwood Roads will be 24 feet wide asphalt within the subdivision. Vesuvius Way up to Aleco Drive will be 24 feet wide. All other roads within the subdivision will be 20 feet wide."

It is quite clear that the tramway is not and was never intended to be a roadway. For those who are operating motorized vehicles on the tramway, please stop doing so immediately.

Your immediate attention to this issue is appreciated.

Sincerely,

Richard Zimmel
VP, DG II HOA Board

