



**TAHOE DONNER ASSOCIATION
BOARD OF DIRECTORS**

**AUTHORIZATION TO RECORD LOT LINE ADJUSTMENT FOR THE
DOWNHILL SKI LODGE REPLACEMENT PROJECT**

RESOLUTION 2024-1

WHEREAS, the BYLAWS of Tahoe Donner Association (Association) provides the Association's Board of Directors with authority per:

- Article VII, Section 1. General Powers of the Association
- Article IX. Duties and Powers of the Board

WHEREAS, the COVENANTS AND RESTRICTIONS of Tahoe Donner Association (Association) provide the Board with authority to grant easements by the Association for utility purposes within the Common Areas per:

- Article III, Section 6. Powers and Authority of the Association
- Article VII, Section 1. Common Areas

WHEREAS, California Corporations Code Section 7140 provides that the Association has "all of the powers of a natural person" and California Corporations Code Section 7210 provides that "subject to the provisions of this part and any limitations in the [corporation's] articles [of incorporation] or bylaws relating to action required to be approved by [the members], the activities and affairs of a corporation shall be conducted and all corporate powers shall be exercised by or under the direction of the board [of directors]".

WHEREAS, the Downhill Ski Lodge Replacement Project has completed the Town of Truckee's approval process:

On November 14, 2023, the Truckee Town Council approved the Downhill Ski Lodge Replacement Project 5-0 in Resolution 2023-62, which contains Condition of Approval 32, requiring "Prior to building permit issuance, the applicant shall complete the Lot Line Adjustment to create the 2.64-acre property between APNs 046-250-009, 046-250-007, and 046-250- 005 as described in the architectural site plan."

On December 12, 2023, the Truckee Town Council (1) Adopted Resolution 2023-68 approving the abandonment of a portion of a public utility easement along the shared property line between 11585 Snowpeak Way and 16363 Skislope Way (APNs 046-250-009-000, 046-250-007-000, 046-250-005-000, and 046-260-003; Parcel J and Parcel R of the Tahoe Donner Unit 3 Subdivision); and (2) Authorized the Town Manager to sign the Indemnification Agreement





between the Town of Truckee and Tahoe Donner Association regarding APNs 046-250-009-000, 046-250-007-000, 046-250-005-000, and 046-260-003-000.

On December 18, 2023, the Town of Truckee Engineer approved the Lot Line Adjustment for the Downhill Ski Lodge Replacement Project.

WHEREAS, the Bylaws of the Association empower the Board to make such appointments and to authorize individuals to execute instruments for the benefit of the Association;

WHEREAS, the Board of Directors of Tahoe Donner Association, in Resolution 2023-4, has appointed Annie Rosenfeld, Interim General Manager, to the position of assistant secretary of Tahoe Donner Association, to act on behalf of the Association, as corporate officer, subject to the authority and direction of the Board.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Tahoe Donner Association does hereby authorize Annie Rosenfeld, or her successor General Manager, should there be one, to execute and record all documents necessary to finalize the above-described Lot Line Adjustment and for the final recordation of the new 2.64-acre lot currently encompassing APNs 046-250-009, 046-250-007, and 046-250- 005.

ACCEPTED AND DATED: JANUARY 26, 2024

Don Koenes, President

Benjamin Levine, Vice President

Stephen Mahoney, Treasurer

Courtney Murrell, Secretary

Jim Roth, Director

