



Mariposa Neighborhood Association
PO Box 1894
Bernalillo, NM 87004

February 16, 2021

Mariposa Community Association Board of Directors

Tim Brislin, President

tbrislin@harvardinvestments.com

Jack Eichorn, Vice President / Secretary

jeichorn2@comcast.net

David Newell, Treasurer

David.Newell@PulteGroup.com

2501 Mariposa Parkway NE

Rio Rancho, NM 87144

Dear Sirs,

At the Executive Session held with the Mariposa Community Association's Board of Directors and the Mariposa Neighborhood Association's President, Eric Gregory, and Secretary, Kelly Heimgartner, on November 4, 2020, the MNA asked the MCA to hold both Pulte Homes and D.R. Horton accountable to the Guidelines for Sustainability Neighborhood Builder Homes in accordance with Construction Requirements (pg. 68-69).

Mr. Newell and Mr. Eichorn responded that they would remind Pulte and the other builders, including D.R. Horton, who would begin building soon, that it is their responsibility to complete their daily clean-up and that they must hold their trades accountable. Mr. Newell also said the MCA does have a mechanism to assess a financial penalty to the builder and he will remind the builders of this. Mr. Newell stated that the MCA will use this penalty if they don't comply.

Unfortunately, the trash and construction debris in both Redondo at Mariposa and Jemez Vista continues to be a significant problem. Specifically, and in regards to the regulations set forth,

1. Developer/Builders are not cleaning up all the trash and debris on the construction site to maintain a neat and clean appearance. Trash and debris are being allowed to accumulate.

2. Developer/Builders are not immediately cleaning up trash and debris that has blown from their job site onto adjacent lots or Natural Areas/ Open Space.
3. Lightweight materials, packaging, and other items are not being covered or weighted down to prevent their being blown off the construction site.

Given that the MCA has and continues to remind the builders of their responsibilities and given that this has not resulted in any improvement of the situation, at this time, the MNA asks

- that the MCA implement the Enforcement Section (pg. 73) “and impose reasonable fines, which shall constitute a lien upon the unit of the violator” upon both Pulte Homes and D.R. Horton, and
- that the MCA cc the MNA on correspondence from the MCA to Pulte Homes and D.R. Horton regarding these fines and the resolution of this matter.

We appreciate that, as mentioned in the November meeting, it is a constant battle to get builders to comply with the regulation that they are responsible for neat and clean maintenance of the construction site. However, as residents living in a community governed by an HOA, we feel it is only fair to insist that the builders comply by utilizing any mechanism available in those governing documents.

Thank you for your time and attention to this matter.

Sincerely,



Eric Gregory
President
Mariposa Neighborhood Association

cc:

Kevin Hearty
Western Division Vice President
CCMC
khearty@ccmcnet.com

Ed Lyons
Community Manager
Mariposa Community Association
elyons@ccmcnet.com

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