

Gardens on the Rio Grande Estate Sale Policy and Application Form

Rationale: The Gardens' HOA wishes to limit automobile and truck traffic through the neighborhood. The intent is to preserve integrity of the roads, and to reduce potential exposure to theft and vandalism. The HOA opposes open traffic with garage and yard sales; however, we also recognize the need to support homeowners making the move to retirement communities, assisted-living, family homes, nursing facilities, or hospice. We also understand the additional needs of homeowner families in case of death.

Therefore, The Gardens' Policy shall be:

- 1. No garage sales or yard sales**
- 2. Estate sales may be held under the following conditions:**
 - The estate sale is a private sale held by a professional estate sale business on behalf of a Gardens' resident or their agent AND
 - The home must to be listed for sale (within 6 months) due to:
 - The death of an occupant of record OR
 - The transition to a retirement community, nursing facility, assisted living, family member's home, or hospice.

Estate sale location: The HOA urges residents to consider having household items moved to a professional estate sale business which may increase the opportunity for sales where more buyers will have direct access to see your goods. In the event that this option is not possible, the following requirements must be met in order to have the estate sale at a home in the Gardens.

Requirements for Estate Sales held in the Garden's

- Sale must be as a result of death of a resident, or the desire to move to a retirement community, assisted-living, with family, or nursing facility, not simply a moving sale;
- May not exceed two consecutive days;
- Notice of sale must be received by the HOA at least **14 days prior** to the estate sale by the homeowner or his/her executor with the **Estate Sale Form** provided;
- Must be held by an estate sale professional;
- Must have security in the form of a licensed professional during the hours of the estate sale, approved by the HOA, and paid in advance by the homeowner or his/her agent; a copy of the **security company's license** must be provided.
- Signs may be posted at the entrance(s) to the Gardens, at each intersection leading to the home, and at the home;
- Parking within the neighborhood for the estate sale must be limited to one side of all streets; no parking by fire hydrants; no parking within 30' (feet) of stop signs; no parking in driveways or private property. Vehicles in violation of parking requirements are subject to towing.
- The homeowner or agent must adhere to all HOA governing rules, regulations, and policies. The homeowner or agent is responsible for any damage to HOA property that arises as a direct result of the estate sale.

**Gardens on the Rio Grande
Estate Sale Policy and Application Form**

Owner: _____
Address: _____ Executor: _____
Company Conducting Sale: _____
Contact: _____ Phone #: _____
Email: _____ Estate Sale Dates: _____
Estate Sale Hours (allow for early arrivals): _____
Security Provided by: _____ (copy of license attached)

Signs to be located: Please check all that apply (signs at intersections leading to home):

Entrance to The Gardens on Mountain.: _____ Entrance on Manhattan: _____
Corner of Laguna Seca & Aloysia: _____ Corner of Aloysia & Cilantro: _____
At the Home: _____

The homeowner or designated estate sale agent is responsible for removal of all signage upon completion of the estate sale.

I have read, understood and accept the conditions of the Gardens HOA Estate Sale Policy.

Signature Date: _____ Owner/Executor

Owner/Executor Name (printed)

Phone Number: _____

Email: _____

Address if other than above: _____

Request Received by The Gardens' HOA Board: Date _____;

Approved by HOA Board: _____ Denied by HOA Board: _____

Date: _____

Explanation for Denial:

Owner Notification Date: _____