

**Q: Why is some of the Tuscany common area being sold off to (or acquired by) ACHD?**

A: ACHD is widening Eagle Road and installing a roundabout at Zaldia and they plan to acquire the land to facilitate this project.

**Q: What exactly is being sold to (or acquired by) ACHD?**

A: Please see design here:

<https://www.achdidaho.org/Documents/Projects/Eagle%20Amity%20Victory%20Design%20PIM%202.pdf>

**Q: Did the Tuscany HOA seek to sell the land to ACHD?**

A: No. ACHD contacted the Tuscany HOA with their intent to acquire the land as part of the Eagle Rd widening project.

**Q: Can the HOA choose to not sell the land?**

A: Unfortunately, no. ACHD has already indicated they will acquire the property through eminent domain unless the Tuscany HOA negotiates a sale.

**Q: Why do the CC&Rs need to be amended for this?**

A: The CC&Rs as written do not allow the sale of any Tuscany common area. In order to negotiate a sale of the property, the measure must pass so the CC&Rs can be amended.

**Q: What if the ballot measure does not pass and we can't amend the CC&Rs?**

A: The HOA cannot sell the property and ACHD will start the eminent domain process.

**Q: Why would it be better to sell the land by modifying the CC&Rs rather than just let ACHD take it through the eminent domain process?**

A: The Tuscany HOA can control the negotiations better by way of a sale and hopefully get a better price for the land, as well as have input on certain aspects of the project. Under eminent domain there will be very little that can be done. The eminent domain process is also carried out through the court system, which is a long, drawn out process that will delay access to the funds from the sale.

**Q: What will the proceeds of the sale be used for?**

A: The board will seek community input on what to do with the proceeds.