

SMUGGLER HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
2/17/2017

MEETING OPENED @ 5:35 PM

ATTENDEES:

TROY MILLER, DONNA KING, KEVIN PADDEN, WENDY PERKINS, ELIZABETH CAMPAIGNE,
BRETT ANDERSON, CHUCK SIMPSON, MIKE GELLART

GUESTS:

SOLVEIG WARMING, JAY DEWIRE, BRIAN ELLIOT, LELIE GAMEL

JANUARY 2017 MINUTES READ AND APPROVED

FINANCIAL:

CASH AND CDS	\$206,645.94
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BIG DIG LOAN BALANCE	76,280.64
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20 RESIDENTS PAYING

BILLS:

SOLVEIG WARMING	816.25
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BENTON ADAMS	2190
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SCOTT HARPER	1015
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FOUR SEASONS	6840
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CHUCK SIMPSON	5805.85
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BENTON ADAMS RESEARCHING WHAT ASPHA CAN DO

SMUGGLER RUN:

EACH OWNER IS RESPONSIBLE FOR THEIR OWN PROPERTY

ANNUAL MEETING WILL BE MARCH 15, 2017

BUDGET:

SOLVEIG WILL SEND PAST BUDGETS TO DOUG DRISKELL

DUMPSTERS:

CHUCK WILL LOOK INTO LIGHTS

108 MAPLE:

LESLIE HERE WITH CONTRACTOR AND ARCHITECT

SEE ATTACHED FOR CONTENT

MEETING CLOSED @ 7:34PM

XFINITY Connect

chucksimpson@comcast.net

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February 7, 2017 Board Meeting - 108 Maple Lane Votes**From :** Mike Gellert <mgellert@shap-law.com>

Fri, Feb 10, 2017 12:20 PM

Subject : February 7, 2017 Board Meeting - 108 Maple Lane Votes

To : 'Troy Miller' <tcm29er@gmail.com>, chucksimpson@comcast.net, 'Brett Anderson' <brett_anderson@hotmail.com>, 'Donna King' <donnaking@sopris.net>, 'Elizabeth Campaigne' <elizabethcampaigne@gmail.com>, 'Eva Lemley' <eva.lemley3@gmail.com>, 'Kevin Padden' <aspennpaddens@yahoo.com>, 'Michael Christopher' <mchristo2@hotmail.com>, 'Solveig Warming' <solveig120@comcast.net>, 'Ted Lawrence' <K9theo@comcast.net>, 'Wendy Perkins' <wperk@comcast.net>

Reply To : mgellert@shap-law.com

Dear Board,

Here are the requests that I believe that we voted on at our February 7th meeting with respect to Leslie Curley's ("LC") requests in connection with her proposed construction of a new home at 108 Maple Lane (the "Property"):

1. HOA permission for the building on the Property to have a 14 inch roof overhang (above the garage) into the limited common easement area to the North of the Property running the width of the Property – the side of the Property facing Maple Lane/the parking area for the Property (the "Parking Easement Area").
Voted Yes.
2. HOA Permission to use the Parking Easement Area for construction staging and possibly a temporary construction office.
Voted Yes.
3. HOA permission to micro-pile and excavate into the Parking Easement Area per the drawing/plans shown to the Board by Brad Elliott at the Board's meeting on February 7, 2017. Voted Yes, subject to the to-be-agreed upon terms and conditions of an agreement (which agreement will be prepared by LC and will be subject to the review and comment by, and approval of, the HOA's counsel) to be entered into between LC and the HOA (the "LC/HOA Agreement") which will provide, among other things, (a) that if the HOA, the City, the County or any other municipality or governmental entity, etc., having jurisdiction requires or desires to have the micro-piles removed, altered, etc., the same will be done at LC Curley's sole cost and expenses and this obligation will "run with the land" and (b) for appropriate indemnitees from LC.
4. HOA permission to lay back the excavation into the greenbelt the width of the Property and 8 feet into the greenbelt to the South of the Property (and then restore the area when finished) and the removal of the tree in the greenbelt to the South of the Property which, the Board has been advised, is necessary in order to permit the intended excavation at the Property. Voted Yes, subject to the to-be-agreed upon terms and conditions of the LC/HOA Agreement which will provide, among other things, (a) for appropriate indemnitees from LC and/or bonds or other security for damage and the obligation of LC to restore the greenbelt and, with respect to the removal of the tree, LC will be responsible for the tree removal (and all costs and expenses in connection therewith) as well as the return of new dirt and new sod as well as any and all other mitigation required by the City, the County or any other municipality or

governmental entity, etc., having jurisdiction in connection with the removal of the tree, and (b) the HOA will direct how the mitigation fees will be allocated to the greenbelt or other HOA property as directed.

5. HOA permission to take the excavation from the Property through the greenbelt and shared parking lot.
Voted No.
6. HOA permission put construction fencing in the greenbelt in order to secure/enclose the portion of the greenbelt referred to in #4 above within the construction fencing otherwise located on the Property.
Voted Yes, subject to the to-be-agreed upon terms and conditions of the LC/HOA Agreement.

Please let me know if you have any question or comments, or alternatively (and hopefully), confirm that the above is your understanding of what we voted on at our meeting on Tuesday. Thanks.

Michael Gellert