

Shadow Hills Homeowners Association  
Board of Directors Executive Meeting  
Hamilton Residence at 10810 Wicks St.

The meeting was called to order @ 6.50pm on 10/21/2011

Board Members present: Eric Hamilton, Michael Pelatt, Tamara Dahill, Ken Coyle

Absent: Lisa Benest

No minutes were read from prior meetings.

A copy of the current budget was passed among the board members present

Agenda: Revision and compliance of the Shadow Hills Estates Covenants Conditions and Restrictions (CCRs)

Over the past three years, the Board of Directors has heard numerous complaints from association members about enforcing the CCRs regarding:

- Group Homes
- RV Parking
- Homeless Encampments on homeowners property
- Guest Houses / Nanny Quarters
- Landscaping / Trees blocking views
- Nuisance Issues (including dirt bikes, loud parties)
- Collection of Dues / Foreclosures
- Architectural / Construction projects completed in an timely manner
- Fines for non compliance with CCRs
- Protecting property values / equestrian nature / of our association

Based on the fact the association's CCRs were drawn up:

- By the builder:, to protect his interest in the common areas and to sell the remaining lots.
- In 1981, prior to the major 1984 Davis Stirling legislative act which governs common interest developments
- There have been countless changes in common interest California Law since 1984
- Have limited scope for dealing with the above mentioned issues
- Are not compliant with California law.

Before engaging an attorney, the Board surveyed the association members via email and response regarding revision of the CCRs and potential cost. Of the 28 surveys returned, 22 were for the change, 2 undecided pending further information and 5 no's.

After consulting with Linda Jagoe, Westcom Property Manager for the Shadow Hills Estates, she confirmed that the expense for revising the CCRs could be paid for out of the operating budget without raising dues. She also stated that 75% of the homes would need to vote yes to the revisions to enact the revised CCRs.

After reviewing the survey results, the Board agreed to begin gathering quotes and consider revising the associations CCRs.

The Board contacted two firms for quotes. Swedelson and Gottlieb has worked with our association on other legal matters. They offered 3 quotes: Option 1 \$5850.00 (which our association would not qualify for) Option 2 at \$6500.00 and Option 3 at \$9000.00

Glen Kulik Esq. responded with a single, comprehensive quote of \$5500.00 which outlined exactly what he would provide.

The board agreed that the CCRs were not in compliance. The CCRs were not enforceable on the many of the issues which had been raised in the last 2-3 years. The CCRs were developer oriented and not serving the needs of the association by protecting the interests of each owner. The association has enough in the operating account to pay for the revision.

Based on the majority of the survey results being positive towards the revision, the board felt it was their fiduciary responsibility to bring the CCRs compliant with CA law.

Michael Pelatt, made a motion to retain the services of Attorney Glen Kulik, for the revision of the Shadow Hills Estates CC&R's, in the amount of \$5500.00.

Ken Coyle seconded the motion.

Vote was called:

Eric Hamilton	yes
Michael Pelatt	yes
Ken Coyle	yes
Tamara Dahill	yes
Lisa Benest via email	yes

Ken Coyle was appointed the point person/contact to deal with the attorney as to not drive up any hourly charges.

It was also suggested an independent (from the board) committee be formed to review the revisions and changes to the CCRs in the first draft.

Ken Coyle will contact Glen Kulik to start the process.

The meeting was adjourned at 7.15pm