

SILVER SPRINGS COMMUNITY COMMENTS REGARDING DISSOLUTION OF THE QUESTIONABLY LEGITIMATE MA:

We have many more comments that we will post as time allows.

Neighbor: "We have already determined that the meeting tonight (April 13) is going to be one-sided and very controlled. Of course Barnes is going to say the MA is legitimate, that is what he is being paid to say. He is a fine attorney, but let's face it, his job is to back and represent his client. If the MA would also allow another attorney who represents the Members on the other side of the MA coin to attend this meeting and give a presentation then that would be a fair way to allow Members to make a choice."

Neighbor: "Last night I witnessed a shocking example of bullying. The SSSF board president was way out of line during this "open meeting". It was embarrassing to witness his yelling and treats to an active volunteer member of our neighborhood. I will think twice before I become involved. If this bully continues to show hostility to new ideas, to improving communication, and to requests for full disclosure of financial information then he should be removed from office. Shame on him for his behavior, and shame on the board for allowing him to intimidate members of our wonderful neighborhood."

Neighbor: "I received a message from my condo association asking me to vote whether I wanted to send the \$357 assessment to the MA. The message said if I did not send in a response then my vote would automatically be counted as a "yes". Is this how the board runs its affairs. No communication is counted as a yes vote! What if the majority of the owners did not receive the board's message by their deadline? We rarely learn about what is going on with these boards. I completely support dissolution of the MA. Do Not Send them our money."

Attorney: "The MA has agreed that their board cannot lien individual property for non-payment as they were only charged with the care of common property."

Neighbor: "The MA assessment is not legal in some subdivisions. The SSSFHOA requires all capital improvement special assessments to be approved by a majority vote of all the Membership, such vote to be in person or by proxy during a meeting to which two weeks written notice is given to the Members. Gunter approved the assessment without Member support."

Attorney: "Today the subdivisions are considered de facto members. The individual residential property owners are not the members of the SSMA, the subdivisions would have been the legitimate members had the subdivision trustees finalized the Bylaws in 1990. This is confirmed by the fact that the assessments for the MA are sent to the subdivisions that in turn then assess their members; this is further confirmed by the lack of any exception on property owners' title insurance policies acknowledging the SSMA. Also the MA board has never included the individual property owners in a vote regarding membership, or on policy, budgets, or incorporation of additional common areas (lakes), or for the election of MA officers. Any effort by the MA to collect individual property assessments or filing of liens on the individual property owners will constitute a slander of title and expose the SSMA, its directors, and officers, to personal liability."

Neighbor: "The subdivision trustees never prepared the specific details required to complete final MA Bylaws. Therefore the trustees never voted to adopt, nor ever signed any MA Bylaws, therefore they never submitted themselves to the authority of the MA...under the governing charter and/or Bylaws of the Master Association. (See [1989 Developer-Homeowner Agreement](#), Section 4.)"

Neighbor: "The MA is in serious need of either restructuring, splitting into MAs relating to amenities, or being abolished entirely."

Neighbor: "Yes, the Master HOA assessments were paid in good faith that more than an "implied" Association existed. We trusted our representatives that an actual association existed."

Neighbor: "I think I am right in saying that the Silver Springs property owners are already individually assessed on our property taxes for the lakes, one is private to SouthShore and the other is mostly private. That is a sufficient contribution for property we cannot use. This is not about common benefits of schools and roads, here we are talking about PRIVATE PROPERTY!"

Neighbor: "We have lived in Northshore for nearly three years. We were never told there was a little lake, we have never seen it. Now we are being assessed \$357 through our HOA for the repair of the little lake dam and gates. We are responsible homeowners and we expect our HOA to also be responsible and fair. We will not pay for repairs to someone else's private property."

Neighbor: "Isn't it interesting that our own HOA boards are not committed to the obvious concerns of the homeowners. Now that I think about it....it was our board presidents who were charged with representing our interests and verifying that the MA was legit. HHMMM. And were they the ones who voted to bill us out of the blue a 200% assessment increase.....do they represent us or is their MA club more important....??"

Neighbor: "We are not happy with the special assessment and proposed increase in fees to manage the lakes. In our opinion, the lakes benefit those homes around the shore and have no or very limited benefit to others in the neighborhood. We support the ideas to transfer ownership of the lakes to those benefiting from them."

Neighbor: "I think it is important to understand the "enemy", it is the lakefront property owner who is desperately clawing onto the illusion that the rest of the neighborhood is so in awe of them that they will continue forever to pay for them to live on the lakes no matter how high the assessment rises. That was their decision, they shouldn't expect us to pay for it."

Neighbor: "The MA is indeed a **de facto entity**. I have suggested several paths forward to rid our membership of the responsibility and associated liability for the care and custody of the lakes. I am convinced that Summit County improperly transferred that responsibility. Once the lake issue is resolved, which might entail a public battle with the County, the elimination of the MA will be much easier, and it will be far less costly to manage our affairs."

Neighbor: "The ideas on your flier are right in line with the MA discussion on [February 16th](#). You should have board support for dissolution, and much Member support as well."

Neighbor: "It looks like our home subdivision board reps to the MA didn't have the time or inclination during the last 20 year to provide valid establishing documents for the MA. Didn't have the time to get them voted on, signed, and recorded, then that certainly is an indication that the MA is a non-functional and unnecessary entity. Twenty years of board reps obviously didn't have time to run two boards simultaneously. Get rid of the MA...NOW.....!"

Neighbor: "Since 1990, our kids tried to use the lake and were continually sent home by someone that always seemed to have an issue with them fishing or just playing. I do not use the lake or the tennis courts and would probably enjoy a park instead. Maybe it could be dedicated to the county and cut our cost of maintaining it."

Neighbor: "Over the years as the property surrounding the lakes has been built out, the lakefront owners accessibility has continued to diminish the Members' accessibility in spite of the park on the south side of the large lake. We are appalled at the assessment being requested for the benefit of the few and support your efforts in dissolving the MHOA."

Neighbors: "Lakefront owners I've spoken with understand that they get more benefit from the lakes, and the rational ones are willing to pay more. Some welcome the idea that they form a Lakefront MA to fund and maintain the lakes."

Neighbor: "A slew of attorneys will have a field day with this mess. I think the homeowners have the power to clear the board themselves. Make an agreement to take care of the common areas within their boundaries, and let the lakefront owners take care of the lakes at their own expense of course."

Neighbor: "I guess we don't have to dissolve the MA if it never really existed. "de facto doesn't count when you were not given a choice nor a vote."

Neighbor: "I was at the meeting a few years ago when certain board members tried to humiliate you and your ideas. I think you are on the right track and will direct others to your web site. Keep up the good work."

Neighbor: "The man who was the 2009 MA president was not re-elected to his member subdivision board in October 2009, and therefore is not eligible to serve on the MA board much less as its president. If he had been an elected member he could serve as a nominee from his home subdivision, but since he was not elected that possibility does not exist for him for this and another reason, the president of his home subdivision attends and votes for the subdivision. One member from each subdivision is permitted."

Neighbor: "I would certainly volunteer to help this committee both with writing the petition and collecting signatures, unfortunately we are out of town. You have my vote on whatever you choose to do. We plan to send the dues for our own HOA."

Neighbor: "I'm on your side, Lucy. People are generally terrified of change. I would keep going down the path of not paying assessments as a vote of non-support of the MA. If people don't pay, the MA has no money to fight us for dissolution."

An attorney: "If the MA does not have CC&Rs, how do they justify assessments? The CC&Rs are what give an HOA the authority to assess the homeowners. The CC&Rs are also what create an HOA. If they don't have CC&Rs, they don't exist or have any authority."

Neighbor: "Anyone has the absolute right to express an opinion. Alternatively, those on the receiving end of that opinion have the responsibility to determine the veracity of the information being presented before forming their own opinion...The recipient of that opinion has the choice of whether to believe it or not...This is where your knowledge of our history, documents, and issues counts."

Neighbor: "We won't be able to help with the drafting but I certainly support making some changes to a system that allows for these arbitrary fee increases."

Neighbor: "We are both so incredibly busy that there is no way we could help with this. I am annoyed about the dues, but at this point in time, I can't deal with it. Thanks to passionate people like you, I know you will make a difference. Good luck."

Neighbor: "I checked out the [this] website (history of the lakes and the MHOA). It is very thorough and impressive!"

Neighbor: "Glad to know you're following all this stuff. I don't like it either. Something seems to be "rotten in Denmark." I do not have the time to go into it all on a personal level, but I will be glad to follow your lead and vote for anything you propose. I did notice that the board did not tell us what that whopping bill represented. I have not paid, nor will I, until I hear from you."

Neighbor: "Needless to say, I appreciate all of your organization and input, and your carefully going over the MHOA rules and documents on the [this] website."

After approximately 28 years, I agree it is time to revisit the old rules.....I also believe that the MHOA increase is absurd."

Neighbor: "The costs to maintain the lake and the limited benefit, except for the lake front owners, is unfair. The maintenance costs for the lake will only increase over time."

Neighbor: "Think it's about time we cleaned MA house, or else withdrew from the association. Couldn't believe the whopping amount of the bill! Keep reporting what is going on in our neighborhood!"

Neighbor: " I have seen very little benefit from the Master association. But, I would like to speak with you to get caught up on what has been going on since we last spoke.

Neighbor: "I was shocked to see that the perimeter access around the lake is not allowed for all the homeowners. Is it an issue of lake owners planting trees to discourage or acting like it is trespassing or has the right to walk around the lake legally been taken away? If we don't have these rights why are we being assessed as if we did?"

Neighbor: "I would like more information on the homeowners association lake assessment. Why hasn't my subdivision board told me about your [www.silverspringscommunity.com] website. It is incredibly thorough and so informative."

Attorney: "Dissolution largely depends on the HOA CC&Rs. In some cases, the CC&Rs require the HOA to exist for a specific period of time. In all cases, it takes a vote of the owners to terminate the CC&Rs (67%-100% depending on the CC&Rs) and the MHOA. Dissolving an HOA is not an easy task and typically take significant effort and support to accomplish."

Neighbor: "I'm very dissatisfied with the assessment increases as well as with the general leadership."

Neighbor: "You're doing good work. Keep it up. I'm with all of you. And keep me informed. Guess I will just not pay that big bill they sent to me for the 15th, but will pay the amount for my subdivision."

Neighbor: "I agree that homeowners 'should keep going down the path of not paying assessments as a vote of non-support of the MA'. We won't be paying the MA assessment, we will send a check only our own HOA dues."

Neighbor: "I just opened the envelope with my dues....outrageous....what happens if we all refuse to pay????? What is it exactly, that we can do to show the MHOA that there are dissenters?"

Neighbor: "I have always tried to maintain a conservative fiscal policy and do not like major increases in either Master's or Single Family dues."

Neighbor: "It is time to be real leaders and focus on what the community needs into the future rather than sticking to a 30 year old Master Plan, legal or not. We are not obligated to follow some attorney whose opinion it is that it is our duty to carry out an old developer's plan. It is time for renewal."

Neighbor: "Unfortunately I don't have the time to keep up on what is going on at the Master level. After skimming through the message, there are parts that I agree with and if I had the time I would love to help pursue them. Thank you for your hard work and diligence."

Neighbor: "Let's create a new master plan that better fits the current community's values and brings us closer. It will be much easier to focus and address issues on a smaller scale within our own subdivisions than handling the giant pile of issues this community has grown into and the diverse opinions of the value of the

properties. I think the community can only be enhanced as a whole with more attention to the pieces."

Neighbor: "I remember and applaud you for what you're doing. LOTS of people will support you when they get their \$500 bill!"

Neighbor: "Everyone who takes an interest in the community should be applauded for their efforts whether we agree with them or not. This whole debacle is a symptom of a much larger problem being that the community has grown, evolved, and segregated into different camps with different wants and needs. This isn't wrong – it's a natural evolution. We are a different community than we were 20-30 years ago and, therefore, we need a different solution for its care."

Neighbor: "The MA board officers would do well to not direct their anger at you. Don't they want to know what the association wants them to do?"

Neighbor: "Good job! We are trying to get informed. Makes me wonder what the MA board are trying to hold onto and why, and who is really being helped by a Master's Association."

Neighbor: "It's interesting to watch the emotional, non-fact based story-telling and opinions surface. I'm keeping an accountable open mind. It helps me listen to all the points of view as well as helps me focus detached examination of documents.... I'll take a look at the documents you attached and see if that clears things up for me so that I can direct others to them if they are helpful."