



HOMEOWNERS

ATTENTION SILVER SPRINGS HOMEOWNERS!!!!!!!

According to Our By-Laws, Article III Section 5. Quorum: 50% or more of the Members in good standing present in person or by proxy shall constitute a Quorum for any and all purposes, except in situations in which express provisions require a greater vote in which event quorum shall be the percentage of interest required for such vote. In the absence of a quorum, the meeting shall be re-convened within 30 days, allowing members at least two weeks notice of meeting and providing proxy forms, at which time it shall reconvene and any number of Members in good standing present at such subsequent meeting, in person or by proxy, shall constitute a quorum. A member in good standing shall be defined as an owner who has kept current in paying of his/her Association fee obligations not exceeding 90 days of delinquency. At any such adjourned meeting held as set forth above, any business may be transacted which might have been transacted at the meeting as originally noticed.

This by-law was passed at the November 9, 1988 Annual Meeting and recorded with the Summit County Recorder, State of Utah as Entry No.309691, Book 525, Pages 670-671.

Four votes were lacking to meet a Quorum. YOUR VOTE COUNTS!!!!

We encourage everyone to attend. YOUR VOTE IS IMPORTANT! If you cannot attend the re-convened meeting, PLEASE RETURN YOUR PROXY!

DATE: November 20, 1990 - Tuesday

TIME: 7:00PM

PLACE: Parley's Park Elementary School

AGENDA: Election of four (4) Board of Trustee positions. PROXY ENCLOSED. Under discussion will be common areas, Master HOA, proposed changes to the CC&R's and/or Architectural Rules as proposed by the Review Committee.

Sincerely,

Bob Haedt
President, Silver Springs Homeowners' Association



HOMEOWNERS

SILVER SPRINGS ANNUAL HOMEOWNER'S ASSOCIATION MEETING

November 20, 1990

AGENDA

Minutes of Annual Meeting October 23, 1989

Treasurer's Report - Carl Caughran

Introduction of Candidates for Trustee - Bonnie Adams

Election

Master Homeowner's Association Update - Bob Haedt

Master Homeowner's Association Common Area Development Committee
(PARK) - Randy Arnold

Architectural Committee - Dick Mitchell

Architectural Review Committee Report

Other Business

Election Results

ADJOURNMENT



HOMEOWNERS

TO: SILVER SPRINGS HOMEOWNERS

FROM: 1989-90 BOARD OF DIRECTORS

As you are aware an attempt was made to hold our Annual HOA Meeting on October 23. We were four votes short of a quorum. We have re-scheduled our meeting as per our By-Laws for November 20, 1990 at which time any number of Members in good standing in person or by proxy shall constitute a quorum.

Thus, if you are in general agreement with the hard work of your duly elected Board, you MUST come to the next meeting OR give your proxy to a Board Member or another member in good standing who plans to attend.

The Board, and particularly its President, apologizes for planning to give verbal reports at the meeting rather than information in writing for your study. The reconvening gives us an opportunity to correct this.

TREASURER'S REPORT

The hand-out at the meeting will provide details and give our position as of 9/30/90.

SILVER SPRINGS MASTER HOA

Articles of Incorporation have been filed, By-Laws have been written and approved by representatives of the various associations of Single Family and Condos, an organizational meeting has been held and Officers elected. Title to all of the properties which will be owned by the Master Association will be conveyed by the end of 1990. Obtaining Title to one of the tennis courts was cause for delay. The tentative budget is \$60-65 per year per family unit to operate the association and the park areas when completed. A Special Assessment on all units to build the Park areas will be required. Our HOA will not need to do a Special Assessment at this time as we have been saving for this project for many years. A report will be presented by Randy Arnold, Chairman of the MHOA Park Committee, at the Annual Meeting.

ARCHITECTURAL COMMITTEE

This committee consists of three members appointed by AND reporting to your Board of Directors. No major actions are taken without approval of the Board. This Committee prepares and administers Architectural Rules as authorized by the CC&R'S. Board approval is required for any changes. During the period that the dedicated and hard working Chairman of this Committee has been in charge many sets of plans in 1988, 1989 and 1990 have been approved with only a small percentage requiring compliance changes. About 20 more lots are left for building.

It should be noted that only by constant vigilance and adherence to the Rules can our Subdivision be completed and maintained to the high standards of which we are all proud.

As mandated by a VOTE at last year's HOA Meeting, your Board formed an Architectural Rules Review Committee chaired by Roland Grandpre who prepared and tabulated a survey and then formed a Committee selected by him from the Membership at Large. A report on their work and recommended changes will be given at the meeting.

The final report of the above Committee contains the following statement regarding enforcement: "IT IS TRANSPARENTLY UNFAIR TO THE VAST MAJORITY OF THE MEMBERS THAT COMPLY WITH THE RULES TO HAVE A FEW WHO PLACE THEMSELVES ABOVE THE RULES. THE RULES SHOULD BE FOR EVERYONE OR NO ONE. IT IS ALSO UNFAIR THAT AN INDIVIDUAL OR COMMITTEE THAT IS ACTING FOR US ALL SHOULD BEAR THE BRUNT OF ANTAGONISM FROM THOSE FEW WHO CHOOSE NOT TO COMPLY". Your Board could not agree more.

At the meeting on October 23 which was adjourned for lack of a quorum, a handout was distributed and comments made by the losing party regarding the litigation which the Association was forced to file due to non-compliance with the Rules by the builder of a home on Lot 139.

To put this matter in perspective, the Board was advised at its 12/6/89 Meeting that construction of Lot 139 had started in defiance of the Architectural Committee who had not approved the design nor the location on the Lot. Your Board unanimously voted to have our counsel seek a stop order.

Since that time, the matter has been discussed at practically every Board Meeting and difficult decisions have had to be made as to how far to go to uphold the Rules. Some 90-100 hours of Board Meeting time has been spent plus two court appearances by several Members.

After the second court appearance, the Judge directed the respective counsels to negotiate an agreement acceptable to both parties. A STIPULATION, dated 30 April 1990, was submitted to the Judge. This document was signed by all parties and presumably

settled all differences so that construction of the home on Lot 139 could proceed. It also requested the court to award court costs and counsel's fees as the Judge saw fit after reviewing the merits of the Association's case vs. the defendants' case.

On 10 September 1990, the Judge signed a JUDGEMENT ORDER: AWARD OF ATTORNEY'S FEES, Civil No. 10511, awarding Silver Springs Homeowners Association attorney fees of \$4950.00 and court costs of \$236.20. Your Board has instructed our counsel to initiate collection either from the individuals involved or from proceeds when the home is sold. No award was made by the Judge to cover defendants' costs.

GENERAL

Your HOA is the only Body which can uphold the Covenants, Conditions and Restrictions (CC&R'S) which have made our Community one of the most desirable places to live in the Park City Area.

The last two years have seen the greatest number of home starts since the Subdivision was begun. Through the efforts of your previous and current Board Members, we have been able to fight attempts to cheapen the values of all property by those who desired to introduce such varied items as cheap building materials, high density housing, and color schemes bordering on the bizarre.

All of these items would have meant a lessening of value for all Homeowners and would have meant that the new corridors to our Subdivision could have been an eyesore instead of the compatible Community being developed at Northshore. We worked hard and long with the developers of Northshore to assure a continued and harmonious Community concept. While a few newcomers would propose the lessening of our standards, the vast majority who have bought and developed property here have seen the wisdom of the Original plans for the Community and are making this a Community to be proud to live in.

The members of your Board are your friends and neighbors. We receive no compensation for the hundreds of hours spent at Board Meetings, going to Planning Commission Hearings, Court Hearing, coordinating meetings with Developers and Government officials to keep our Community one you can be proud of. This unfortunately means that we have to act as "policemen" to the few who would attempt to destroy the CC&R'S so that your neighbor could legally do as he pleased - from running a dog kennel or having a junkyard or auto body shop in his yard, next to your home. The retiring members of the Board, Bob Haedt, Rick Hovey, Dick Mitchell and Bonnie Adams wish to state that serving on your Board is a unique experience - one which every Homeowner in the Subdivision should try.



HOMEOWNERS

ANNUAL MEETING

20 November 1990

The Annual Meeting of the Silver Springs Homeowners' Association was reconvened on 20 November 1990 at Parley's Park Elementary School. The meeting was called to order by President Bob Haedt at 7:20PM.

Minutes of the Annual Meeting on 23 October 1989 were read by Secretary Bonnie Adams and approved as read. The minutes had been mailed with the first announced Annual Meeting notice.

Carl Caughran, Treasurer, was absent. There was a hand-out report for the membership to review (see attached). There were no questions or comments.

Bonnie Adams, Chairman of the Nominating Committee, introduced the current Board: Bob Haedt, President, Rick Hovey, Vice-President, Carl Caughran, Treasurer, Dick Mitchell, Randy Arnold, Roland Grandpre, and herself. Nominations for the positions being vacated by Bob Haedt, Rick Hovey, Dick Mitchell and Bonnie Adams were introduced. The candidates were: Lee Case, Nancy Cloutier, Jim Coker, Gil Hodge, Lisa Hovey, Rob Karz, and Rick Klein. Candidates were given an opportunity to speak. Nominations were then taken from the floor. Bill Ligety nominated Dick Mitchell, praising him for the job which he has done in working with the Architectural Committee. Mike Cloutier seconded. Dick accepted the nomination. There were no other nominations and the voting proceeded.

While the meeting continued, Patty Casale, Mary Ellen Larson and Judy Martin counted the ballots and proxies.

Bonnie Adams made a motion that the minutes of Annual Meetings be mailed out with the January Homeowner billings. Jim Coker seconded. The motion passed. In the discussion however there was a strong feeling that newsletters should be sent out. Some wanted minutes of all Trustee Meetings mailed. It was pointed out that these minutes are always available upon request.

Bob Haedt updated the Association on the Master Homeowners' Association. They

are now operating, have been incorporated, and officers elected. An Annual Budget has been drawn up. A little ground leveling has been done on the Park, donated by Northshore developers. Common area development budgeting was touched upon. A billing for \$40 for the 1st quarter of the Park Development will go to the various Homeowner Associations. We have enough saved in our "Park Fund" to cover this billing and the other 3 quarters.

There were questions about assessments with the Master Homeowners Association. Every family unit whether condo, lot or home is considered equal in assessment.

Dale Boschetto asked to have the Master look at the Street lighting which needs repair, particularly the light in front of Ruth Wagner's home. (Note: Our Homeowners' Association has been maintaining the lights in our single family homes area.)

Dale also asked about a street light at 224 and the new entrance to Silver Springs. Lew Fine, a non-member who is building in Northshore, was a guest at our meeting and was able to update us. Northshore has formally requested a street light and an arrow turn lane designation at the entrance.

Fred Stayrook asked about the 1 vote per Homeowner Association. Randy Arnold explained that we have 8 Homeowner Associations and that each has one vote. Richard Callahan asked if we as individuals have a right to vote on each item.

Dues were then discussed. Originally they were \$36/quarter. At the 1987 Annual Meeting, they were changed to \$5/month. Richard Callahan made a motion that the CC&R's read that any change in assessment or Homeowners' dues be brought to the membership as a whole. The vote must be 50%. Fred Stayrook seconded. A discussion followed. Dale Boschetto, past HOA President, said that the CC&R's already had language dealing with this. Regular assessments are determined by the Board of Trustees and special assessments require a majority membership vote. Dale further stated that the monies which we have been saving have always been earmarked for development of common lands to avoid the necessity of Special Assessments. Dale made a motion that the previous motion be tabled. Ron Morgan seconded. Passed. Ron Morgan further stated that the members should allow the Board to make decisions on its behalf without all the nit picking.

Randy Arnold gave his report on the development of the Common Lands. There was a hand-out available (See attached.). Randy went over the report - budget and design. The plans are preliminary. The estimated budget for capital improvements was also included. The general assessment will be \$40/quarter to develop the Park areas. This will come out of our "Park Fund". The goals of the parks are harmonious, family oriented, and building a strong community. Rocks, xeroscaping, berms, keeping water costs and usage down, a shelter, picnic tables, beach area for sailboat launching are included. Volunteers are needed. Please sign up. In the Spring more information will be available. Lisa Kirchenheiter asked a question about usage. It is private property used by Silver Springs residents only. It is not open to Park City. Tom Lanning asked about a swimming pool. It has not been considered due to liability. Bill Ligety suggested that the park be done in phases in order to do a first class job. Volunteer

work is not always predictable.

Dick Mitchell gave his Architectural Committee Report. There are 183 lots. 2 1/2 years ago, 100 homes were developed. Currently there are 162 in various stages. The concept is harmonious. The Committee has tried to live up to its original charge which was to enforce the CC&R's.

Charlie Reynolds reported on the Architectural Review Committee Report. The committee consisted of Roland Grandpre, Dick Mitchell, Charlie Reynolds, Ron Kobler, and Bob Karz. An independent Architect, Stan Johnson, was hired to give his analysis of the survey, his observations of the community, and his recommendations. The Committee used the surveys, recommendations and their own observations to propose the following recommendations:

1. Color samples be made available. (This was adopted. A Color Specialist was engaged and samples were selected and are available through the Architectural Committee.)

2. The following changes be made to the CC&R's (The changes are underlined):

a. Only one single family residence may be allowed on any single family lot and no more than one family shall occupy any residence.

b. The minimum structure size is 1650 square feet of enclosed living area for single level dwellings and 1210 square feet on the ground floor and 660 square feet on the second floor for two Story dwellings, excluding garages, patios, and decks.

c. The exterior construction of all dwellings and any exterior additions or alterations to existing homes must be completed within one year from the start of excavation.

d. Both Front and rear yards must be completely landscaped within one year of completion of construction or occupancy, whichever occurs first.

e. All roof surfacing must be constructed of wood "shake" variety. Roof designs shall have a minimum pitch of four in 12 feet and a maximum pitch of five in 12 feet.

f. A processing fee for new home construction be paid at the time of application and be composed of the following:

1. \$100 Plan Processing Fee.
2. \$150 advance payment for a Silver Springs Style Mailbox
3. \$1000 Cash Performance Deposit.

The application fee must accompany building plans or blueprints. The performance deposit will be refunded when all requirements are met including the landscaping requirement.

Charlie with each recommendations gave the committee's rationale. Questions followed. Wood roofs are not being voted upon. No wood products such as masonite are allowed. Dan Fryer asked about interest. There is no interest on the \$1000 Security Deposit at present. Paul Parsonault wanted to know how the committee selected its recommended changes. Roland Grandpre responded that the committee

reviewed the surveys, considered the Architect's advice, and used their own views and observations. They were not restrained to the survey alone which in itself did not mandate change.

The meeting continued while votes were being counted. The results however are being inserted here. The first three changes to the CC&R's passed. The last three changes were defeated, therefore, the rules will remain as they were. They are basically the following: Landscaping- front within the first year and rear within 2 years; roof surfacing must be of wood "shake" variety and a minimum pitch of 4 in 12 feet; Processing fee is \$50, \$150 mailbox fee, and \$1000 security deposit.

The results of the Election for four Trustees were announced. The new Trustees are:

Lee Case Gil Hodge
Jim Coker Lisa Hovey

Other Business was discussed.

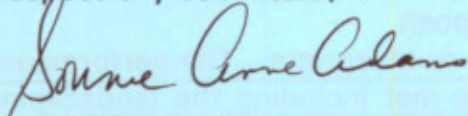
Bonnie Adams informed the members that Lewis Brothers will be using the Blue Top Building as a bus depot. In addition to the danger already existing at the entrance at 224 and Silver Springs, there is a concern that the large buses will begin to go through our sub-division. Bill Ligety made a motion that we send a forceful letter to the County Commissioners and Sheriff objecting to this usage and also again stating our concern over the safety at this intersection. Hughes Martin seconded. Passed.

The December 11 meeting of the County Planning Commission was discussed. It was recommended that members and Trustees in particular attend. On the Agenda is Sun Peak Development on the West side of 224 and a Commercial area development behind the Chevron station. The process begins with the Planning Commission and citizen input is important at this level.

Linda Karz will be opening a store in the Blue Top Building and would appreciate members responding to her survey to help her better serve the community.

The meeting was adjourned at 9:40PM.

Respectfully submitted,



Bonnie Anne Adams
Recording Secretary