

REGARDING PROPOSED CONSTRUCTION, 16100 ANOKA DR -- 2/07/15 neighborhood meeting

E-mailed to viwalquist@gmail.com

February 13, 2015

PHOA Tract Committee Chairman

Dear Vi: I am writing my view of the intended construction of a roof deck at above address. Since you invited us and conversed with everyone, I am expressing my views to you. With this residence, there are five homes with roof decks in our tract. Four of them approved by the Friedman administration, even though most all neighbors voted vociferously against them.

After listening to what was said, most especially from the immediate neighbors, I, once again, read the CC&R's, and I wish to direct you and the others on the tract committee to read Article IV, Section 2, Approval of Plans: Subsection (a) Work Subject To Prior Approval

After reading the first paragraph, the second states: "However, no plans for a residence or other structure shall be approved by the Tract Committee: (1) Which shows an exterior appearance and design that lacks conformity to widely or commonly accepted appearances and designs:"

The last two paragraphs of this section state; "The erection, alteration, maintenance, location or relocation (etc items), whether separate or an integral part of the dwelling, such as a residence addition, shall be disapproved or desisted from whenever such structure, because of its kind, shape, color, height, material, or location, in the opinion of the Tract Committee would be unsightly, or detrimental to, or unreasonably obstruct or unreasonably diminish the nature or quality of the view from any other land in this or an adjoining tract, or tend to lower the value of any land of the tract." Loss of privacy diminishes land value.

"No alteration shall be made in the exterior appearance and design of any of the items mentioned in this Subsection (a) at any time after its erection or construction, or in the shape, contours and conditions of any land, unless written approval of such alteration first shall have been obtained from the Tract Committee."

Now, returning to Article IV, Section 1 Enforcement Agency, How Constituted, Objectives

In my opinion, one of the most important Sections in the CC&R's. I wish to quote from paragraph two, first sentence: "The Tract Committee shall represent the interests of all landowners of the tract and in GOOD FAITH shall execute, interpret and ENFORCE these RESTRICTIONS for the BENEFIT of the tract and all landowners, within the purpose, spirit, meaning and intent thereof." There is a repetitious theme to this sentence thru-out the CC&R's.

In an effort for more transparency, I would like to see this e-mail, and any others on this subject sent to all neighbors that attended the meetings of February 7th and 8th. After all, it is their association, and these differing views should not be kept from them.

Sincerely, Hal Oliver

