



June 7, 2019

Dear Homeowner,

As the summer season begins there are a variety of updates and reminders to share:

Capital Projects - The major capital projects for this spring/summer season are underway and off to a good start. Even though May was a cool and wet month, the projects proceeded according to plan with no big concerns to report at this time (please see the accompanying project report). This season's projects include:

- Building 13 Deck replacement project, including stair towers
- Townhomes D, G, H, I and L exteriors
- Natural gas line installation and first phase of fireplace replacements
- Men's and Women's locker room remodel
 - Scheduled to begin August 12th
- Common Area Hallways Building 11 (fall project)

Chimney and Fireplace Inspections - The chimney cleaning and fireplace inspections have been completed and the Association will follow up with individual homeowners wherever concerns with their fireplaces have been detected.

Special Assessment Billing - If you chose Billing Option B, the fourth and final installment of the special assessment will be reflected on this statement. If you are currently paying with EFT, please be aware that the special assessment billing will be drawn on June 25, 2019 with the regular recurring charges.

Homeowner and Member Tennis and Pickleball Social - Will be held on Thursday, July 25th beginning at 4:00 PM. Greg, our tennis pro, and his staff will offer free tennis and pickleball clinics and provide a variety of fun games for the whole family. After some fun on the courts, everyone will gather at the park for a BBQ social complete with burgers, brats and refreshments. Please RSVP to Craig Holst by Monday July 22nd at (970) 477-3070 or Craig@VRCMR.com.

Bylaw and Rental by Owner (RBO) Rule Enforcement – As mentioned last month, a few RBO owners hired an attorney who sent a letter to the Board of Directors and copied homeowners. The Board forwarded this correspondence to the Association's regular counsel and the independent second attorney who provided the Board with second opinions during last year's RBO/Bylaw due diligence concerning the new Town of Vail STR Ordinance requirements.

The Board has received the legal opinions from both firms and they were substantially the same and did not feel that the RBO attorney's statements have any merit. The opinions concluded:

- The RBO Rules are not discriminatory, rather they reflect and incorporate the Town's Ordinance into the Association's existing regulations pertaining to RBOs



- The Association is legally obligated to comply with the Town's Ordinance and to harmonize it with its existing governance structure
- The Declarations, Bylaws and RBO Rules are not in conflict with one another
- There are no anti-trust violations. The Rules incorporate existing restrictions as set forth in the Bylaws as well as terms of the Town's Ordinance and reasonably regulate short term rental lodging in the community
- The Rules are closely related to the corporate purposes of the Association in enhancing property values of the units
- Each owner purchased into the community on constructive notice of the Bylaws and its Exclusive Agency provision and all owners must comply with the Governing Documents
- The Ordinance language change from local "agent" to local "representative" has no bearing on the Exclusive Agent Bylaw enforcement since an agency relationship still exists between a property owner and a local representative
- The Association should not reconsider nor deviate from its prior decisions regarding enforcement of its Bylaws

Based on both counsel's conclusions, the Association will continue to enforce the Governing Documents including the Exclusive Agent Bylaw and RBO Rules (see attached following this letter).

Deck and Patio Rules - Through November 1st, in addition to the standard items, the following may now be placed on decks and patios: operable bicycles (not hanging), patio umbrellas, hummingbird feeders (hung out of reach and no seed bird feeders due to wildlife ordinances) and flower boxes that are planted and well kept (no artificial plants). Your cooperation in keeping the deck and patio areas neat and in compliance is appreciated.

Annual Homeowners Meeting - Will be held on Saturday, August 10th at 2:00 PM. We hope to see you there!

Sincerely,



Fred Bradford
President