DATE: Nov. 19, 2020

FROM: Hawk Ridge ARC

SUBJ: Covenants Violation (boat stored on property)

TO: Hawk Ridge Board of Directors

REF: *ARC Guidelines for Covenants Enforcement*

Background:

A boat on a trailer has been kept on the property at 19825 Soaring Wing Dr since this past summer (date unknown when boat was first placed on property). The occupants of the home are the Drakes but the home is owned by Milt Johnson (19725 Soaring Wing Dr). This issue was first brought before the ARC at the Oct 13, 2020 Annual HOA Meeting by Carolyn Lauer (19945 Soaring Wing Dr), the next-door neighbor (North side) to the Drakes. ARC Member Felix Uhlik called Milt Johnson on Oct 15, 2020 and explained the violation and requested that the boat be removed from the property. On/about Nov 1, 2020 the boat was moved from the front of the property to the rear on 19825 Soaring Wing Dr. ARC Member Felix Uhlik called Milt Johnson on Nov 2, 2020 and explained that, according to para 6.2(g) of the covenants, no vehicles can be stored ANYWHERE on the property for more than 14 days. I again asked Milt to either have the boat removed or submit a written appeal to the ARC NLT Nov 15, 2020. On/about Nov 8, 2020 the boat was moved to another location on the rear of the 19825 property (info received from Carolyn Lauer). Having not heard from Milt Johnson, ARC Member Felix Uhlik again called Milt Johnson on Nov 16, 2020 and left a message requesting a return call. On Nov 17, 2020 Felix sent an email to Milt Johnson requesting an explanation of why the boat has not been removed or an appeal has not been sent to the ARC. The Drakes and Carolyn Lauer has been kept informed, via email, of the events described above. Mr. Dieter Drake, info addressee on most emails, has refused to move the boat off the property. He believes he is being singled-out/discriminated against and contends that there are other covenant violations that are not being investigated and has taken photos of “suspect violations” in our neighborhood. He has stated that he will fight this (also admitting to having had past problems with other HOAs) and will contact his lawyer.

Current Status:

No response has been received to date from Milt Johnson by either phone or email. Richard Morrison and I stopped by Milt’s house today but no one answered the door. We left copies of the covenants and this letter. Due to the lack of response from Milt Johnson and the tenant threating legal action, the ARC has exhausted its’ available options to resolve this issue. Since this issue remains a clear violation of the covenants, the ARC members unanimously voted to elevate this issue to the Board IAW the *ARC Guidelines for Covenants Enforcement.*

Recommendation:

Board of Directors formally contact Milt Johnson to seek resolution. Contact an HOA-experienced lawyer in the event that the tenant/owner proceeds with legal action against the HOA.

Approved as written:

Felix Uhlik, ARC Member

Wayne Jones, ARC Member

Richard Morrison, ARC Member