

WILLOW CREEK PASS VILLAGE ASSOCIATION
BOARD OF DIRECTORS MEETING
North Routt Fire District
July 21, 2010

Representing the Board:

Lanny Mack, Susan Marshall, Ron Davis, Dave Kliwer (by phone)

Representing management: Sue Hochreiter, Hans Hochreiter

Guests: Shalee Cunningham, Superintendent of Routt County Schools and Brian Kelly, School District board member. Bob Hagerty, Lee Emery.

Lanny opened the meeting at 5:05pm.

Minutes-Susan moved to approve the June minutes. Ron 2nd. All in favor.

School District- Shalee Cunningham and Brian Kelly represent the Master Facility Plan Committee for the school district. They want to sell the two parcels (each 21 acres) of land the district owns in the subdivision. They would like to sell the property for residential use, with one house on each parcel. Lanny explained that these parcels are part of the Steamboat Lake Association greenbelt, as defined by the covenants. Brian Kelly suggested that the District may be willing to make 5 acres of the parcels private, with the remaining covered by an easement to give access to the community. Lanny read section 1 of the covenants restricting the use of these parcels "for the enjoyment and protection of all the owners of record", which restrict any development of the greenbelt unless for a purpose for use and benefit of all of the community, such as a school or fire station. In addition, the board does not have any authority to override the covenants. Therefore, a single family residence on these properties, or any part of these properties, would be prohibited, and that this restriction should be communicated to any prospective buyer by the sellers.

Seed House Heights-Bob Hagerty and Lee Emery were in attendance to see if there were any decisions the board made regarding their access issue in filing 4, in conjunction with their submitted Seed House Heights replat. Lanny explained the original replat was rejected, and the request for reconsideration was reviewed and the rejection still stands.

Parcel C, Filing 4: Lanny explained that after the receipt of the letter from Lee Emery that threatened a lawsuit to extract a driveway easement across greenbelt from the covenant controls, the Board has investigated the access issues of filing 4. In order for Black Horse drive to be constructed, it must cross a section of Forest service land. Lanny recommends the Board pursue getting a land swap with the forest service that would allow for Black Horse Drive to be connected, and if the land swap option fails, pursue getting access across forest service land. He stated he has talked to County Planning, as well as County commissioners regarding Parcel C, a greenbelt parcel owned by the county and adjacent to the access issue across forest service land. Additionally, he has talked to the Association attorney on the issue. The County appears amenable to potentially doing a land swap with the forest service

with this parcel, as well as transferring title of parcel C to the Association. The County is reviewing this, and Tom Sullivan (County Manger) will coordinate.

Financials- Board reviewed the financials of June 30, 2010. Balance in checking account is \$67, 617.14. Board agreed that a \$45,000 balance should be maintained in the money market account. Lanny reported there has been no resolution to the foreclosure collection action, and he directed Alan to proceed until payment, or sheriff sale. Another owner filed for bankruptcy but the Association was not notified and not included in the filing. Therefore, our collection rights should still be maintained.

BLM grazing notice- The association received notice from BLM that they are considering issuance of livestock grazing leases on un-allotted parcels of public land and vacant grazing allotments. Board discussed and found no reason to object.

Routt County Wildland Fire District- Susan reported that the commitments for projects for BLM listed the land behind Jupiter for a project to start in 2011 or 2012. She will follow up and verify.

Snow Removal Contract- Lanny reported that the contract has been provided to Jon Subr and Board is waiting for signatures.

Meeting adjourned 6:30pm

Respectfully submitted,

Sue Hochreiter
Business Mgr.