

Dear Curtis Pond Neighbor,

I trust that you are getting ready for a great Memorial Day weekend and the kick-off to the summer.

I am posting this message in response to some of the feedback that the board has received regarding opening the pool to phases 2, 3 & 4 for a few days until we can meet as an association and determine how we want to use our pool for the 2007 swim season.

When the board was approached by the developer, MAG Land and the builder Scenic Homes, asking us to meet with them and then what we saw as the challenges that were before us to re-uniting the community, there were two major points of discussion. The first was the immediate, making pool access available for all of the community and the second was the permanent re-uniting of all phases into one association. The second we realize is a very complex issue and that attorneys will be needed to navigate any solution. Therefore, very little time was spent on discussing the re-unification of the community.

We did spend considerable time discussing options for the pool. We were given an update on where they were at in the planning for a new pool and were told again all that went wrong with the "splash park." We were then asked by the developer and builder to endorse a proposal for them to pay \$22,000 for 234 to use the pool for the swim season for this summer only. We told them that we **would not** commit Phase 1 owners to the proposal but would be willing to take the proposal back to the membership and have a meeting to discuss and vote on the issue of pool use for the other phases with their proposal being **one of the possible solutions**.

After the meeting, with only the five board members standing in the parking area in front of the model homes, I made the suggestion that we consider opening the pool to the other phases for the brief time that it would take us to make the presentation to you, the members of the association and together come up with a decision that we would all live with. We discussed both sides of the issue at length looking at the pros as well as the cons of the decision to temporarily open the pool to the other phases. Finally at my prompting we agreed to open the pool for the temporary use of all phases. The developer & builder were not a part of this discussion and did not ask for this consideration. The recommendation was made by me to the board that it would be a way of letting our friends and neighbors in the other phases know that we are committed to them as neighbors and that our goal is the re-uniting the community into one association under the appropriate circumstances. We realized in making the decision that either way we would offend some residents. But, all of us know that rarely is there ever a public decision made that pleases everyone.

I made a recommendation that I felt was in the best interest of all of the residents of Curtis Pond and the board after much deliberation endorsed that recommendation. So here we are today, with some happy that their children get to go to the pool for the holiday weekend, others that don't care because they are either out of town, going to the race or could care less about the pool and unfortunately there are some who feel that the board either "sold us out" or "over stepped their bounds of authority." I do not think we did either. But of course we are all entitled to our own opinions, even if they differ.

My purpose in writing this letter is not to encourage you to change your mind about the pool use, but to share with you why we did what we did and how the decision came about. Unfortunately due to the timing of "this series of unfortunate circumstances" many of the decisions that have been made had to be made with time constraints. I would ask for your patience and understanding as we navigate the issues of our situation. As attorneys, developers, builders and homeowners have shared, most of us have never dealt with the issues we are dealing with now as a community. There are solutions and answers to every issue, some of them don't come easily, swiftly and sometimes the way we want them to come. As soon as we can schedule a date for the special meeting we will let you know, and I encourage you to show up, get

the information for yourself and cast your vote. The issue of pool use will be decided by the membership of phase 1!

Thanks for reading!

Sincerely,

Bob Bankhead  
President  
Curtis Pond Homeowners Association