



Eagle Bend West Community Association, Inc.

In the greater Harbor Village community- a great place to live!

Letter to Eagle Bend West Property Owners

September 11, 2020

Subject: Update on CC&R Amendment Project

Summary

The Board wishes to express its thanks to all lot owners who have returned their completed ballots, voting on options to amend our principal governing document, the Eagle Bend West Covenants, Conditions, Easements and Restrictions (CC&Rs).

Since the Annual Meeting, members of the Board have met with several homeowners to answer questions about how the CC&R amendments will work, the policies the Board intends to implement, and the approach to seek community input for policies to implement the amendments before they are initiated.

The Board welcomed a group of lot owners to its Board meeting on September 7, 2020. The lot owners made a request for additional time to provide input into the process. The Board agreed that providing lot owners with additional time for the return of ballots is in the best interest of the entire community. The Board also welcomes the opportunity to hear the perspectives of all lot owners on matters that are important to them.

Accordingly, at its meeting on September 7, 2020, the Board agreed on the following:

Voting

The requested date for the return of ballots is extended from September 15, 2020 to October 15, 2020. If you have not completed your ballot, please return it on or before October 15, 2020.

Lot owners are strongly encouraged to vote. As a reminder, an abstention from voting is equivalent to a NO vote on all items as approval of 67% of lots (as voted by their owner or owners) not ballots voted, is required to amend our CC&Rs.

If you need a new copy of your ballot, please contact a Board member or our Property Manager, Dave Roberts whose contact information is below.

Input

The Board intends to use the extended ballot review time period to meet with each and every lot owner, by phone or in person, to garner additional input into the process. The Board encourages groups of homeowners to meet collectively to work with members of the Board to address any concerns or initiatives that they believe are important for the Board to consider.

Fines

The Board agreed that no schedule of fines will be implemented without the schedule being provided to the community in advance of adoption. If or when the enforcement proposal is approved, that is only a first step in the process. CC&R provisions are often "authorizing" provisions. This means that the Board is being authorized to come up with policies and procedures on how to implement a CCR. For example, the ballot initiative regarding enforcement is such a provision.

If the proposal regarding enforcement is approved, the Board will be authorized to come up with a fine system. However, before the system is implemented, the Board is committed to gathering input from the community. This would be BEFORE any fine system is put in place.

The purpose of the enforcement measure will be to encourage compliance rather than punish owners for incidental or accidental infractions. The proposal will give the Board a mechanism for enforcing the CC&Rs short of legal action. Any fines will be imposed only after a lot owner has received ample multiple warnings of noncompliance. Any fines will not be imposed in a capricious manner and can be reversed if lot owner gives a suitable explanation of extenuating circumstances.

The Board has made no final decisions on a fine schedule and wants to assure the community it will receive input BEFORE a schedule is adopted, but the current Board intention is that the proposed schedule may be a sliding scale ranging from \$100-\$200 per month for material ongoing infractions depending on the infraction after the owner has received notice of the violation and ample opportunity to cure or contest the violation. Should the lot owner continue to ignore requests to correct the infraction, fines can be raised until compliance is achieved. Minor infractions would be on a smaller scale. For infractions considered more egregious, higher fines may be proposed (i.e., noncompliance with Design Review Guidelines, or noncompliance with rental restrictions, if the rental proposal is approved).

Parking

If or when the parking proposal is approved, the Board will provide the community, for review and comment BEFORE implementation, proposed policy details including what the definitions are for "motor home" and "recreation vehicle".

Again, thank you for your input and participation in this CC&R amendment consideration process that has been underway for several years. We want the outcome to be as good as possible for the community, so we're glad to take additional time toward that goal.

Sincerely,

**Board of Directors
Eagle Bend West Community Association, Inc.**

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