

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF THURSTON

THERESA J. LOWE, a single woman;  
LOREN J. BOSSHARD and DONNA A.  
BOSSHARD, husband and wife;  
BURLEIGH M. CUBERT and CAROLYN  
R. CUBERT, husband and wife,

Plaintiffs,

vs.

FOXHALL COMMUNITY  
ASSOCIATION, a nonprofit corporation,

Defendants.

No. 17-2-00812-34

**DECLARATION OF ROSE EILTS  
OPPOSING SUMMARY JUDGMENT**

I, the Rose C. Eilts, do hereby declare:

1. I am over the age of eighteen, competent, and make these declarations based on my personal knowledge.

2. At all times relevant to this lawsuit, the Plaintiff was a member in good standing of the Foxhall Community Association, the homeowners association for the property owned by the Plaintiffs.

**A. Bert Lewis Declaration Response.**

3. Pertaining to Paragraph 9 of Bert Lewis's declaration, he incorrectly states that there were 73 "no votes by proxy." There were 73 "yes" votes by proxy.

1           4.       Pertaining to Paragraph 10 of Bert Lewis's declaration, this was not the first  
2 attempt of Bert Lewis to open the trails to the public. From 2000-2002, I was the Architectural  
3 Control Committee chair. Then Board President Bert Lewis proposed a motion to the Board of  
4 Directors, which was approved, to allow the Whisler commercial boarding business to use  
5 Foxhall trails and parks. The Architectural Control Committee considered this matter and  
6 disagreed with the Board's decision. I wrote to the board (July 2001), expressing the  
7 Architectural Control Committee's disagreement with a board decision to allow trail use by non  
8 Foxhall residents. Our reasons included concerns for the increased liability to Foxhall residents,  
9 as well as privacy and trespass issues.

10  
11           5.       Pertaining to Paragraph 10 of Bert Lewis's declaration, proxy votes have always  
12 been allowed in Foxhall. In 2015 the Board made decisions Board members Denise Solveson  
13 and Theresa Lowe considered inappropriate and with high liability risk. These Board decisions  
14 were not made public to the membership. A group of people sought to organize and bring Board  
15 decisions out into the open, while soliciting input from, and involving more community  
16 members. This issue is about allowing the majority to govern the community and to enfranchise  
17 all community members. Every dues paying Foxhall member has a legitimate right to participate  
18 in community governance.

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21 **B.       Response to Robert J. Armstrong Declaration.**

22           6.       Mr. Armstrong complains of improper parliamentary procedures at the November  
23 19, 2015 bylaw amendment meeting. Foxhall bylaws do not require parliamentarians to follow  
24 any specific procedures. I have witnessed meetings where parliamentary procedures were used to  
25  
26

1 prevent fair discussion or dissent. I stated the rules of the meeting which included a stripped  
2 down version of Roberts Rules of Order.

3         7.         Mr. Armstrong references improper counting for a motion to refer the park and  
4 trail issue to a committee. The minutes from the November 19, 2015 meeting item reflect two  
5 votes were taken on this measure and neither of them passed. The minutes of the November 19,  
6 2015 meeting, item 13 states: 'Motion on the floor restated as "To table the vote until a  
7 committee can be formed and discuss this further." Vote taken. Motion did not pass. Request for  
8 a recount made. Recount of show of hands vote was done. Motion did not pass.'

9  
10         8.         The minutes from the November 19, 2015 meeting were read to and adopted by  
11 the membership at the annual meeting dated April 25, 2016. No motions were made by Mr.  
12 Armstrong or anyone else to modify the minutes as written. It wasn't until after the April 25,  
13 2016 meeting that the Board decided to justify non-enforcement of the adopted bylaw by  
14 claiming that proxy votes could not be used for bylaw amendments. Attached as Exhibit A  
15 hereto is copy of the minutes from the April 25, 2016 meeting which adopted the minutes of the  
16 November 19, 2015 meeting without amendment.

17  
18 **C.         Response to Jessica Bradley Declaration.**

19         9.         I have never knocked on Jessica Bradley's door, never been in her house, never  
20 had a conversation with her.

21  
22 **D.         Response to Les Whisler Declaration.**

23         10.         I was the chair of the Architectural Control Committee from 2000-2002. During  
24 my tenure I became aware of the Foxhall board approving the use of association parks and trails  
25 for the Whisler commercial boarding business. I wrote to the board in July of 2001 expressing  
26



1 the Architectural Control Committee's disagreement with a board decision to allow trail use by  
2 non Foxhall residents. Our reasons included concerns for the increased liability to Foxhall  
3 residents, as well as privacy and trespass issues.

4  
5 **11.** Mr. Whisler's declaration stated "[t]here were never any signs on any of the  
6 equestrian trails at Foxhall when I lived there prohibiting boarders or guests of residents from  
7 using or that the riders on the equestrian trails had to be accompanied by a resident."

8 **12.** I moved into Foxhall in 1999 and signs have been prominently displayed  
9 throughout the trail system. A variety of signs displaying things such as this:

10 A. Foxhall Trail: For private use of residents and accompanied guests only.

11 B. Bridle Trail: For private use and by members and accompanied guests only.

12 C. Foxhall Trails are Private Property; Do you live in Foxhall? NO Is a Foxhall  
13 resident with you? NO. Then YOU are a TRESPASSER.

14  
15 **E. Additional Evidence.**

16 **13.** The current allowance of commercial boarders is an ongoing attempt by a  
17 minority of the Foxhall Community to open trails to non-residents. Attached as Exhibit B hereto  
18 is the Trail Plan put forth by F. Paul Carlson in November of 2015 to expand the use of the trails  
19 with a non-resident licensing program.

20  
21 **14.** The proxy vote forms which the were employed were clear and unambiguous  
22 regarding their purpose. Attached as Exhibit C hereto are copies of examples which were  
23 collected for use at the November 19, 2015 meeting.

24 **15.** Attached as Exhibit D hereto is a copy of the Board of Directors Meeting minutes  
25 for August 24, 2015. These minutes, at Section G, contain a statement from the insurance agent  
26

1 to Bert Lewis which states in part that the insurance company “wants off the risk now if boarding  
2 operation and operations allow non-residents to use the trails. They consider this to be a public  
3 use. They are willing to stay on the account until February of only [sic] resident homeowners  
4 and their own guests are allowed on the trails.” Additionally at this meeting, the Board went on  
5 to redefine “Guest” in the Foxhall rules to include “non-members who board horses in Foxhall”  
6 in order to allow commercial boarders onto Foxhall’s trails. See Exhibit B at Page 2-3.  
7

8 **16.** As such, it is clear that use of the trails by non-resident commercially boarded  
9 horses increases the liability risk to Foxhall residents.

10 I hereby declare, under penalty of perjury, that the above declarations are true and correct  
11 to the best of my knowledge.

12 Dated this 29th day of June, 2017 at Olympia, WA.  
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15 

16 Rose C. Eilts, Declarant  
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## Foxhall Community Association Annual Meeting

April 25, 2016

South Bay Elementary School Library

### Agenda:

1. Call to order
2. Confirm quorum
3. Treasurer's Report, Bruce Brinton presenting
4. Secretary's Report, Paul Carlson presenting
5. Trails Committee, Jessica Bradley presenting
6. Election of Board members:
  - a. Voting process, Bert Lewis presenting
  - b. Introduction of Candidates
  - c. Introduction of tellers:
    - i. Rob Armstrong
    - ii. Keith Solveson
    - iii. Dan Olson
  - d. Actual voting
  - e. Recess while Tellers count ballots
  - f. Announcement of results
7. New Business
8. Adjournment

### Board Members present:

Attending were: Bert Lewis, president; Theresa Lowe, vice president; Bruce Brinton, treasurer; F Paul Carlson, Secretary; Denise Solveson, Facilities Manager.

### List of Attendees:

Mary Alexander	Janis Corkrey	Joan Hewitt	Jack McMillen
Rob Waltrip	Chad Crowley	Steve Hewitt	Meryl Metlin
Johnny Austin	Burleigh Cubert	Roger Hill	Marsha Mills
Aracelli Babcock	Jim Due	Rose Eilts	Stephen Miishkin
Ellen Berg	Debra Dyjak	Ron Holeman	Susan Munson
Alan Bosak	Kerri Stoehr	Robert Jackson	Steve Morrison
Donna Bosshard	Constance Fleming	Deanna Jackson	Kim Morris-Ward
Chris Crew	Dave Fleming	Gary and Judy	Daniel Olson
Jessica Bradley	Tom Fluke	Johnston	Carolyn Pendle
James Brewer	Penelope Goode	Isaac Jung	Bob Pendle
Bruce Brinton	Kristin Gorum	Nancy Kauffman	Brad Pruitt
Judy Carlson	William Gowen	Cindy Coble	Harry Rosemond
Sandra Guth	Bill Grous	Lynn Lewis	Laura Shillam
Paul Cereghino	Peter Birch	Judith Anderson	Carole Smith
Mi Choi	Scott Harriage	Cindy McCallister	Keith Solveson
Richard Wadley	Mary Lou Wadley	Maggie McKinnon	Kirk Veis
Kit Metlin	Carolyn Cubert	John McKinnon	Don Wadsen
Rob Armstrong		Diane Zientek	

Exhibit A



**Quorum Established** at 7:11 pm

**Meeting Began** at 7:13 pm

**Secretary's Report:**

- Minutes of the December 2, 2015 Community Budget Meeting were read and approved (MSC).
- The Secretary's report for activities in 2015/16 was distributed and attached to this report
- Minutes of the November 19, 2015 meeting prepared by Carol Langford were read by Denise Solveson. These minutes were adopted. (MSC)

**Treasurer's Report:**

Balance of Funds:

- Savings - \$80,000
- Checking - \$15,000

**Trails Committee Report:**

Given by Jessica Bradley:

- Gave a history of work planned and budget available (\$6,000)
- Gave praise to all the hard work of the committee to develop a work plan and RFP's.
- RFP's were sent out with an April 15 submittal deadline. No bids were received. Potential bidders indicated an unwillingness to bid because of the political turmoil and the potential threat of lawsuits.
- Comments from the floor were given by Carolyn Pendle and Theresa Lowe.

**Election of Board of Director members for the three vacant positions on the Board:**

- Bert Lewis explained the voting process
- The tellers were introduced
- No nominations came from the floor
  - Bruce Brinton withdrew his name from the candidate list
- Candidates spoke briefly and introduced themselves:
  - Paul Carlson
  - Linda Hull (introduced by Paul Carlson)
  - Isaac Jung
  - Susan Veis
  - Robert Jackson
- Chris Drew moved, and it was seconded, to invalidate the proxies obtained by Theresa and Denise because he alleged that there was intimidation and fraud in how the signatures were obtained.
- Paul Cereghino spoke to the Proxy process. Because it was alleged that this action could potentially silence the wishes of some members, Bert ruled that this motion was out of order.
- Bert then ruled that it appears we have 60 proxy votes and we should proceed to cast the ballots. He indicated clearly that proxy votes had to be entered on the ballot and the proxy must be inserted in the envelop with the ballot

**Exhibit** \_\_\_\_\_

- The voting began with distribution of ballots to the assembled group. Those present quickly submitted their ballots. The proxy process took an excessive amount of time.
- At 10:03 pm consideration was given to suspending the current meeting and then reconvene the board and tellers at Paul and Judy Carlson's house to finish the counting process. The janitors wanted us out of the building by 10:15 pm. The results would be announced at a later reconvened meeting, but no longer than two weeks away.
- At 10:07 pm that meeting was declared to be in RECESS. The board and tellers departed and reassembled as indicated above. The counting and tally process was completed at 12:30 am.

#### **Reconvened meeting:**

The annual meeting of the FCA was reconvened on May 4, 2016 at 7:01 PM

- The first matter was the report of the director voting process.
- The election results are as follows:
- Three people were elected to the three open positions. They are:
  - Isaac Jung
  - Susan Veis
  - Robert Jackson
- There were 95 valid ballots and 3 invalid ballots and there were 44 proxies counted in the voting process. Several people who signed a proxy were present at the meeting and voted a ballot at the meeting. Their proxy was thus set aside.

#### **New Business**

1. The president introduced the proposition that he had received from Steve Morrison for the Board to create a committee to investigate the private road repair and maintenance. Foxhall has several roads that are private and were not deeded to the County early in the Foxhall development. The committee would be asked to explore the condition of the roads, find vendors/contractors who do the repair and obtain cost estimates to accomplish the work. This information would then be brought back to the board to consider and formulate an appropriate action plan including a funding proposal. It was moved, seconded and carried (MSC) that it be referred to the Board.
2. The matter of the new development occurring on the North side of Division IV was brought forth. The concern is that the demarcation of the boundary needs to be clarified with a fence. The matter was referred by the president to the Trails committee by motion from the floor. The motion was MSC by acclamation.
3. The matter of cleaning up the drought damaged area of the Park was brought to the floor. Denise stated that the area would be sprayed and then let stand for a month before removal of the residue. Once cleaned then it would be reseeded. It was identified that planting will require a regular watering. This matter was referred to the Board.
4. Item 3 above surfaced the need to create a water source for the park to keep the drought effects from occurring year after year. Even if the bad areas are repaired they have to be watered on a regular basis. This matter was referred to the Board for further study.
5. The matter of a portable toilet in the park was raised during the summer months. The portable units are \$80 per month. In addition, it was raised that there may be alternative methods of creating a toilet, such as a composting toilet. This whole matter was referred to the Board to



create a committee to study this matter. Comments surfaced about waiting to alter in the summer so that the Fall rains can do most of the watering. The question was also raised whether we need a green park at all.

6. Jessica Bradley asked for a special point of privilege to speak to the matter of dysfunctionality she observed on the Board. She felt that the Board did not function at a high level and detracted from the opportunity to do real effective business. She was also concerned that too many people were disillusioned and left the Board in frustration when working with Theresa Lowe. She Moved and it was seconded that Theresa Lowe be recalled from the board to minimize the unnecessary conflict at each meeting. Subsequent discussion revealed that the RCW statutes require due notice in the agenda. The chair ruled the motion was out of order for technical reasons and Jessica withdrew her motion.

**Adjournment:**

It was moved and seconded that the meeting adjourn. A vote by acclamation was secured. The meeting ended at 7:46 PM.

Respectfully submitted,

F Paul Carlson, Secretary

November 6, 2015

## Proposal to Control Use of FCA Trails for Horse Riding:

### Boundary Conditions and Guidelines:

1. Control of Foxhall community property use.
2. Provide a safety minded framework.
3. Be consistent with RCW statutes and inherent limitations thereto
4. Develop resources to further the maintenance of the trails
5. Limit use of FCA Trails and associated properties.
6. Must maintain the private, non-public use of our trails, except as specifically permitted.
7. Be able to identify responsible persons and who is a user.
8. Have insurance for general liability coverage and use.
9. Users/Riders having a permit must provide verification of insurance and name FCA
10. Provide reasonable assurance that access is controlled as a prudent man would do.

### Proposal:

1. Have a limited-use permit program for riders on Foxhall (FCA) Community trails.
2. The non-resident user would pay \$100 per year to FCA to be used solely for trail maintenance
3. Have a limited number of board-issued non-resident users (control public use) certified by the 'boarding person' or resident guest provider (~30)
4. Residents who bring a (non-boarding) guest to ride on the trails will complete the certification and insurance notifications and pay the corresponding fees for use of the trails.
5. FCA to receive and record certifications of ability to ride safely and appropriately
6. Non-resident user signs a 'Hold-Harmless' Agreement and waiver of claim.
7. If the rider is a child the parent must sign a 'Hold Harmless Agreement'.
8. Non-resident users must certify that they have medical insurance and provide an appropriate certification thereto.
9. When a user rides the Foxhall trails, they must wear or carry an FCA issued ID Badge.
10. Non-resident boarding users must be certified as an appropriate safe rider by the 'Boarding Person' – Training and Indoctrination certification to be provided to FCA
- 11. All practical entrances to Foxhall trails will have signage indicating that this is FOXHALL private property for the use of Foxhall residents and their guests only.**
12. Badges will differentiate between residents and non-resident guest riders. Resident badges are free if FCA fees are current.
13. Various blank certification forms will be supplied by FCA and completed by boarders/residents and riders prior to using the trails.
14. Renewal of Use-permits will coincide with the annual payment cycle of Foxhall association fees.
15. Boarders and residents involved in trail riding must promptly report in writing, email, or in person any safety hazards and/or trail problems to the FCA Director in charge of Facilities.
16. Badges will include a picture, name and address, and be issued by FCA annually.

Exhibit B

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**Meeting Began at 7:13 pm**

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**Foxhall Community Association  
Clarifying Rule For Current and Future Boards of Directors**

To clarify how Association property shall be used is needed for management purposes.

**Whereas,**

Foxhall Protective Covenants Document 870903122: Page 465  
Covenant Article I Area of Application, 2<sup>nd</sup> paragraph:  
*Tract A in Foxhall, Division I and Tracts H and I in Division I and II and Tract M in Division III shall be for the benefit of and be used by, the residents in Foxhall.*

**And Whereas,**

Foxhall Protective Covenants Document 870903122: Page 463 #3.  
*Foxhall Community Association will acquire title to the trail – Tract M – in Foxhall Division IV and will hold title to the same subject to the provisions of these covenants and the Articles of Incorporation and By-laws of said corporation.*

**And Whereas,**

Tract A is the Foxhall Park; Tracts H, I and M are the Foxhall Trails.

**Therefore,**

The membership adopts the following by-law:  
Article VI: POWERS AND DUTIES OF DIRECTORS Sec.9. Foxhall Parks and Trails are for the exclusive use of residents, families and friends. Nonresident visitors must be accompanied by a resident when using Foxhall Parks and Trails. Foxhall Association members' businesses may not extend their business activities onto Foxhall Parks and Trails. Members' business invitees, customers, or patrons, whether in trade or in barter, are prohibited from using Foxhall Parks and Trails, even when accompanied by a Foxhall member.

**Proxy Vote – Foxhall Community Association**

If you prefer not to attend the meeting in person, your vote will still count if you complete this section and return your proxy vote to Denise Solveson at 5506 42<sup>nd</sup> Ct NE or Theresa Lowe at 6301 Foxtrail Ct NE.

I, Johnny Austin the owner of Division 1 Lot 19 located at the address of 4202 Foxhall NE in Foxhall Community Association, hereby grant this Proxy, pursuant to By-law Article V Section 5 of the Foxhall Community Association. This proxy carries with it the intent of the undersigned to be represented Foxhall Association meetings by the individual specified in this Proxy.

Therefore, I the undersigned do hereby issue the aforementioned Proxy to Denise Solveson at a date, time, and place to be held per official Meeting Notice or as otherwise stated, noted, or published elsewhere by the Board of Directors, or any continuation meeting thereof, pursuant to the governing documents of the Association and in accordance with Washington State Law.

Member Signature: Johnny D. Austin Date: 15 Nov 15

**Foxhall Community Association Special Meeting  
Purpose and Ballot**

The object of the meeting is to present a bylaw to the membership for adoption stating:

Foxhall Parks and Trails are for the exclusive use of residents, families and friends. Nonresident visitors must be accompanied by a resident when using Foxhall Parks and Trails. Foxhall Association members' businesses may not extend their business activities onto Foxhall Parks and Trails. Members' business invitees, customers, or patrons, whether in trade or in barter, are prohibited from using Foxhall Parks and Trails, even when accompanied by a Foxhall member.

Please provide a proxy vote to approve the bylaw now in case you are unable to attend and vote at the special meeting. Two options are possible. Circle one

1. I hereby approve the above bylaw be added to the Foxhall Community Association bylaws Article VI Sec. 9. To clarify how the association properties be used and prohibit commercial activities on the park and trails.
2. I hereby designate Theresa Lowe to vote on my behalf in the matter of adoption of the new Bylaw Amendment at the forthcoming Special Meeting or any continuation thereof.

Member (lot owner) Name Loren Bosshard Date 11/14/15

Signature X *Loren Bosshard*

Division 2 Lot Number 36 Address 5928 Foxhall Ct NE

DS

old / New one

Weidman

DATE 10-26-15

I, Sada Weidman, hereby designate Carol Langford or Denise Solveson to be my proxy and vote at her discretion at any Foxhall Community Association (FCA) meeting including a budget meeting, a special meeting or an annual meeting until

- a. Such time as this proxy is revoked in writing by sending a revocation to the FCA Board.
- b. I attend a meeting in person.

c. \_\_\_\_\_

Foxhall Member Name Sada Weidman

Foxhall Member Signature Sada Weidman

Foxhall Division and Lot Number Division I, Lot 30

Address: 5702 Arrow Ct NE, Olympia, WA 98516



**FOXHALL COMMUNITY ASSOCIATION**

Board of Directors Meeting

7:00 PM, August 24, 2015

Amended September 8, 2015

Carlson Residence

**Attendees:**

**Foxhall Board**

- Bert Lewis, President
- Theresa Lowe, Vice President
- Denise Solveson, Facilities
- F Paul Carlson, Secretary
- Bruce Brinton, Treasurer

**Foxhall Architectural Control Committee**

- Bob Pendle
- Keith Long
- John Austin
- Dick Wadley
- Linda Hull

**Matters before the Board:**

**Old Business:**

- Minutes of the July 20, 2015 Board meeting were reviewed and approved.
- Trail Committee report;
  - There was a brief report from the trail committee and the package as presented has an estimated \$9,000 price tag associated with it. Further discussion is expected regarding the timing of these expenditures
- Reseeding of Park #1 report;
  - A brief report of the activities surrounding the reseeding of Park #1 was presented. About 1100 feet of drain pipe has been installed and the watering lines have been placed. The next step involves the placement of top soil and seeding.
- Water at the front entrance report:
  - A brief report was given on the watering methods at the front entrance. Bruce and Paul will proceed to put in three automatic sprinkling valves so that the watering system can operate independently.
- Foxhall Bulletin preparation:
  - The draft Bulletin for the Foxhall people was reviewed and comments received. There is now a consensus to proceed with the mailing and distribution.
- Foxhall Survey:
  - The Draft of the Foxhall Survey was reviewed and a little work remains on one item to be edited. Bert will take what he has and move to get it in a form for distribution.
- Considerable discussion ensued on the Foxhall insurance items:
  - A copy of the notice from the insurance agent is embedded in this report of the minutes:

**Exhibit D**

Hi Bert;

There is no exclusion in the policy, but the company wants off the risk now if boarding operation and operations allow non-residents to use trails. They consider this to be public use. They are willing to stay on the account until February of only resident homeowners and their own guests are allowed on the trails. We set this up that way and that is the only way Mutual of Enumclaw will stay on the account. They want written statement stating you agree to the terms and want it ASAP. The boarding operation and the so-called public-use is making it hard to find insurance for HOA even with the fact that the boarding operation has its own coverage. I have a tentative quote for 1 million in coverage for around \$3,800 from another insurance company, but they have not reached a final decision. I just had another carrier decline, really was hoping to be able to offer them to the HOA. Looks like my options are running out. I will keep looking. Please confirm that your board is advised of this email since you really need to vote on this issue. Jack

In short the notice does the following:

- Use of the trails by non-resident boarders causes the insurance company to regard our trails as 'public use'.
- The insurance company will stay with us until February if we agree in writing to limit the riders to Foxhall residents and their own guests.
- Boarding operations and 'public use' are making it difficult to get HOA insurance

#### New Business:

##### A. Definition of the term 'guest' in our documentation was discussed:

It was moved seconded and carried that the proposed definition with one slight modification in the fourth item to include 'with the member'. There were two motions in the process of approving this item. The first was whether to take a vote on the definition, which passed on a 3 to 2 vote with Denise and Theresa voting no. The second vote was on the basic resolution and it passed on a 3 to 2 vote with Denise and Theresa voting no. The definition was handed out.

##### **Definition of Guest**

Be it resolved that the Board of Directors of the Foxhall Community Association do hereby define the term 'guests' as it appears in the phrase "...residents of Foxhall and their guests..." as follows:

A Foxhall guest is any individual or group of individuals invited by a member of the Association either to that member's home or to functions or events organized by Association member(s) and held on Association property.

##### EXAMPLES:

1. An Association member's large family gathering held at the park(s).

2. An Association member's church group picnic at the park.
3. An Association member's horse trainer accompanying the member in a training exercise on the trails.
4. An Association member inviting as guests non-members who board horses in Foxhall to ride with the member on the trails.
5. An Association member inviting non-members as guests to attend the annual Foxhall Association picnic.
6. An Association member associated with a youth group (scouts, little league, etc.) inviting and supervising the group's use of the park.
7. An Association members inviting a veterinarian, the guest, to hold a vaccination clinic at the park; residents bring their horses to the vet rather than the vet going to them and so they avoid the "farm call" charge otherwise involved.

- B. **Incident Report to Thurston County** regarding a building being constructed too close to our property line was discussed. No word from the county at this point.
- C. **A letter requesting information** has been submitted to the Hibbard's regarding the status of the property at 4522 46<sup>th</sup> court. It has been abandoned, but the property has not gone into foreclosure. The taxes are being paid by an estate manager.
- D. **The Chang property** – A discussion followed regarding the other abandoned property on Foxhall Dr near Bert. There is a potential buyer trying to find out how they can make an offer for the property.
- E. It was noted that an additional property on 42 Ct will be going into foreclosure shortly. The owners in Virginia are apparently going into bankruptcy.
- F. Theresa presented a document on the **Use of Associated Property** – Guiding Fiduciary Principles (echo-ca.org). A motion for consideration of this document failed for lack of a second.
- G. Our president, Bert Lewis, reported briefly on a member who has been riding his ATV on the horse trails. The board agreed by acclamation that we should start the process of adding language to either the covenants or Bylaws language similar to *'The trails and parks are for Association members and their guests walking, hiking or on horseback. No motorized vehicles other than emergency or maintenance vehicles are allowed'*.
- H. There being no further business before the Board, the meeting was adjourned at 9:05 PM.

Respectfully Submitted

F Paul Carlson, Secretary