

## **Comments from Henry Lowe:**

-----Original Message-----

From: henry lowe [mailto:htlowe@earthlink.net]  
Sent: Tuesday, August 16, 2011 11:14 AM  
To: Kevin Michelson  
Cc: slowe@ifslaw.com  
Subject: RE: SOTHA - Amended Declaration - Comments & Updated Documents

Some questions about the new draft that call for an answer by the Board attorney. Please reply to these question before September 15 or any meeting of members to discuss the new draft:

(1) Where in the existing covenants or elsewhere does the Board find authority to create an access road easement on any road in the Association?

(2) My property is currently subject to a road easement on Shield O Road? I have rights under that easement. How would or could a new asserted easement affect the existing easement and the rights and obligations it imposes?

(3) Can the Board legally declare (create) an access road easement over property that Shield O Road crosses which has never been part of the Association (subdivision)?

These are important questions that require a clear and unequivocal response from an individual (attorney) qualified to practice law in this state.

-----Original Message-----

>From: Kevin Michelson <kevinm@peakvisions.net>  
>Sent: Aug 11, 2011 3:56 PM  
>To: henry lowe <htlowe@earthlink.net>  
>Subject: RE: SOTHA - Amended Declaration - Comments & Updated Documents

>

>File from the website is attached...

>

>-----Original Message-----

>>From: henry lowe [mailto:htlowe@earthlink.net]  
>>Sent: Thursday, August 11, 2011 10:44 AM  
>>To: Kevin Michelson  
>>Subject: Re: SOTHA - Amended Declaration - Comments & Updated Documents

>

>>Please send me the most current version of section 3.1, (a) through (e) complete, every word of it. Not available on website or elsewhere.

>

>-----Original Message-----

>>>From: Kevin Michelson <kevinm@peakvisions.net>  
>>>Sent: Aug 11, 2011 8:38 AM  
>>>To: Kevin Michelson <kevinm@peakvisions.net>  
>>>Cc: Kendra Ford <kendra@thomasgenshaft.com>, "Peter Thomas  
>>>(peter@thomasgenshaft.com)" <peter@thomasgenshaft.com>  
>>>Subject: SOTHA - Amended Declaration - Comments & Updated Documents

>>

>>All,

>>

>>

>>

>>We had a great meeting this past Monday! The membership present at the meeting asked that all members have the opportunity to provide comments to the proposed draft version of the Amended Declaration. Please email any comments to the Amended Declaration to me by September 15th. Please provide some comments no matter how brief. I will have some version of everyone's comments compiled and available on our website by the end of September.

>>

>>

>>

>>The DRAFT version of the Amended Declaration placed on our website last Friday has been updated to the version that was presented at the annual meeting. (Click below for the draft Amended Declaration.) Changes made were as follows:

>>

>>

>>

>>\* The language in Section 3.1(a) describing the access road easement was clarified.

>>

>>\* Cover sheets added to the exhibits in the back

>>

>>\* Draft versions of rules & design guidelines were added at the end.

>>

>>o (The draft version of the rules & design guidelines were taken from our current rules. No changes were made to the language; sections were removed that were already covered in the revised declaration.)

>>

>>

>>

>>Additionally, we have posted a Word Document that indicates all of the >>revisions made to the declaration since introduced by Peter Thomas, >>the attorney assisting in crafting the declaration. (Click below for >>the Word Document of the Draft Amended Declaration.)

>>

>>

>>

>>Notices

>>

>>Amended and Restated Declaration

>>

>>Draft Declaration -

>>PDF<<http://shieldoterraces.com/PDF/Declaration-Draft-080811.pdf>>

>>

>>Draft Declaration -

>>DOC<<http://shieldoterraces.com/PDF/Declaration-Draft-080811.doc>>

>>

>>

>>

>>

>>

>>Feel free to contact me with any questions.

>>

>>

>>

>>Kevin

>>

>>

>>

>>Kevin Michelson

>>

>>707 Shield-O Rd.

>>

>>Snowmass, CO 81654

>>

>>(970)-923-5818 home

>>

>>(970)-948-6659 cell

>>

>>kevinm@peakvisions.net

>>

>>

>>

>>

>

>