



**HOMEOWNERS NOTIFICATION OF
LOCHINVER HOA BOARD OF DIRECTORS ACTIONS AND PROPOSALS
REGARDING DECLARATION OF COVENANTS AMENDMENTS AND
RESOLUTION - 2024**

The following items will be presented by the Board at the winter Homeowners Association Community meeting Tuesday February 6, 2024.

Business Item #1- Board Resolution for “Easement and Use Agreement” revision to provide document clarity.

Purpose - Implementation of the “Pay Your Fair Share Community Sustainability & Financial Support Initiative” (Payment of Annual Dues solicitation for non- dues paying homeowners)

It has been brought to the Board’s attention that the current financial support commitment document - *“Easement and Use Agreement”* was looked upon as strictly for those homeowners who wanted to have use and access to the community pool/swim recreational facilities. Therefore, it was the assumption that non-use of these facilities entitled the homeowner to not pay their annual dues.

This was not the intended purpose of this document. Therefore, to provide clarity for the intended use of the document- the Lochinver Board of Directors have approved a January 2024 Resolution to provide additional clarity for stated document.

The document title has been modified to reflect the intended purpose. The new title is - *“Sustaining Membership, Easement and Facility Use Agreement”*. This document does not change nor require those homeowners who have previously provided their consent signatures to sign this revised document - as the original homeowner financial support requirements remain unchanged. The financial commitment by way of payment of dues is for the payment of all expenses incurred for the operation, maintenance, and routine upkeep of Lochinver common areas and community assets.

The implementation of the revised document will be utilized to obtain the financial consent and support from those homeowners who are not presently paying LHOA annual dues.

Signature consent will be sought on an individual homeowner basis.



Business Item#2 - Amendments to the Declaration of Covenants, Conditions, and Restrictions for Lochinver

Purpose 1 - Amendment for the Consolidation of all (4) Lochinver Declarations of Covenants into one unified Covenant management document.

The Amendment to Consolidate the Declaration of Covenants is sought to enable streamline management of Lochinver as a single business unit rather than 4 individual units that all have the same Covenants. The Lochinver sub-division was developed in phases and each phase was issued a Declaration of Covenant. However, each Covenant was identical to the original Covenant developed for unit #1.

Therefore, to enable management of Lochinver as a single business unit the existing four individual Declaration of Covenants are to be combined into one comprehensive document without change to the original content of each unit document.

Approval of this amendment will require 75% of Lochinver Homeowners' consent.

Purpose 2 - Amendment to add new Section 7.07 - appended to Article VII Declaration of Covenant for the Implementation of a \$1,000 new homeowner initiation fee to assist in the maintenance of community capital assets.

The addition of section 7.07 is utilized to provide a one-time source of major capital financial revenue from new homeowners. This funding source will be utilized for capital reserve funding which the HOA utilizes to for the replacement of community capital assets.

Major capital asset replacement expenditures require funding through community special assessments. Such an assessment was required to finance the approximately \$100,000 lake spillway replacement project when each homeowner was billed a special funding assessment.

Approval of Section 7.07 amendment will require 75% of Lochinver homeowner's consent.

Online voting via the Lochinver website will be made available for a period not less than 30 days from the posting or publication of this notice. For those not able to attend the community meeting or desiring time for documents, review the documents will be posted on-line.

Publication date: 2/6/2024