

May 8, 2007

To The Board of Directors

Re: My opinion concerning removal of the Post Signage in the surface areas.

The letter dated May 4, 2007, constructed by [former property manager] and sent to a select group of owners concerning Post Signage should be delivered to all homeowners since she states that there are parking spots conveyed to the Association in this area. The opinion of all the members should be considered before you have your discussion on this matter.

Many owners are not aware that when our Regime's legal documents were recorded, there were two handicapped parking space assigned in the surface area lot. They are still designated in our governing documents and contained in Exhibit "C" as spots # 17 & 18. At some point in time, the Board (?) made the decision to eliminate the handicapped assignment and remove the handicapped signage on the asphalt. This decision was made without a surveyor opinion of the owners and that was wrong, so I question the motive behind the sudden change of heart with the Board in seeking an opinion on any matter, including this one.

A discussion with the members and the opportunity to vote on such a drastic change to our limited common area was not offered by the Board before the decision was made to eliminate the handicapped spots from that area of our regime. There should be an amendment to Exhibit "C" to reflect that these handicapped spots were eliminated and an amendment requires a vote of the members. This has not been done and now that there are further ambiguities in our Declaration. The impact of that Board action should be more of an issue than any objectionable "signage" matter.

I strongly object to the signs being removed considering the location of the spots near the service elevator entrance. The signage is a reminder that certain members of the Board, past and present, and the Developer made the decision to sell and/or reassign these handicapped spots after the limited common was established and recorded in our legal governing documents. Exhibit "C" is a part of these documents and presented to all owners at their closing. I will again voice my concern that any change that has been made to the common area or limited common area without member approval and exclusive of any proxy votes held by the Developer could cause US problems in the future. Should there ever be a review of our legal documents and an amenities audit conducted, it will be obvious that there has been a change in our regime and that parking spots # 17 and # 18 do not conform to our Declaration's Exhibit "C" as they were recorded and presented to the members.

Indiana Code; IC 32-25-7-1 **Recording Declaration Contents Sec. g. (a) (4) A description of the limited common areas and facilities, if any, stating to which condominium units their use is reserved**, was clearly written to prevent Developers and Boards from changing the nature of certain areas of a regime without member approval. The handicapped parking spots # 17 and # 18 were a needed amenity, their assignment was designated for use by the members and recorded as an Association facility to accommodate disabled owners at the south elevator entrance. The Board evidently allowed the Developer to sell or reassign these handicapped spots after control was turned over to the members.

Many owners contend that the Board and the Manager were not performing their fiduciary duty by protecting the member's best interest by allowing this to happen.

Board decisions in the past have also left owners with no short term parking for loading and unloading at a service entry door. We must now park in the fire lane and face the risk of being towed if we leave our vehicles to take our valuables to our units.

The signage should be up to date and be required to have the correct unit number on them. Any spots that are currently conveyed to the Association should be clearly marked and designated for short term parking on a first come first served basis, with a 4 hour limit. Registered contractors will be exempt and allowed to park for a full work day. Spots #17 and # 18 should be clearly remarked for handicapped parking. Employees should be assigned parking spots elsewhere in a less congested area. The purchase of any additional parking spots by the Association from an individual should be approved by all members, and prior to any proposal to purchase spots, it should be disclosed who the Association is purchasing these spots from and a disclosure on how much the owner paid the Developer for these spots.

Thank you for soliciting my opinion on this matter. I will expect an acknowledgment that it has been received and reviewed for consideration in your future discussions

Betty Cantrell  
Unit#712



# THE HARBOURS

CONDOMINIUM HOMES

May 22, 2007

Ms. Betty Cantrell  
One RiverPointe Plaza #712  
Jeffersonville, IN 47130

Betty,

In response to your letter of May 8, 2007, the letter was sent to you for your lucid opinion about your parking space sign, which might augment any consideration the Board of Directors would make in a decision about the property. They are the only people responsible for this decision. You chose to digress from that point, so I will not discuss further your other opinions.

Just for the record, your car was tagged for violation of parking in spot # 14 without permission on May 3, 2007.

Barb Hilb  
Building & Grounds Committee