



TRAVERSE MOUNTAIN MASTER ASSOCIATION

Working Session Meeting Minutes

1. The Traverse Mountain Master Association Board of Directors was called to order at 3:10 pm, January 18, 2012, at 3940 N. Traverse Mountain Blvd. Lehi, UT 84043
 - a) Roll Call
 - i) Directors: Present: Karren, Hickman, Biesinger, Plewe
Absent: Hill
Guests: Ron Black /Riverbend, Bill Perry /Perry Homes and Clark Fetzer/ Rinehart Fetzer Simonsen & Booth, P.C.
 - b) Approval of Agenda
 - i) MOTION: Hickman; SECOND: Plewe; Unanimous approval.

ASSOCIATION BUSINESS

1. Discuss letters received about Developer/Declarant 1 million dollar contribution to private park amenity for Traverse Mountain
 - a) KARREN would like to put together a resolution for the 5.4 acre park. What the money will be used for and what needs to be included.
 - b) FETZER wanted to make sure that Perry homes and Riverbend have meet with their attorneys and there will be no tax problems.
 - c) PERRY stated that he feels that the residents of Traverse Mountain where promised this park and he is willing and happy to contribute to it. He stated that he would like to keep a good relationship with the home owners so they can continue to keep their good name. He also stated that this resolution needs to be made with these included parties and not with the city. His tax attorneys have looked at this an as long as this stays as a charitable contribution to TMMA a non-profit organization there won't be any problems.
 - d) KARREN feels that this agreement will benefit the homeowners and satisfy Lehi City to move forward with the area plan approval. TMMA held a town hall last night, Tuesday January 17 for home owners to come and ask questions about this.
 - e) BLACK is agreeable to the charitable contribution as stated in Riverbend's letter and to get the area plan approved. He added they would then like to come back with a plan to get the park built as soon as possible. This will help with adding value to the community and with increasing property values for the sale of new lots. Along with a plan to build the park up front they would also present a plan to get reimbursement for the park construction thought the private park amenity fees collected.
 - f) ALL attendees were open to meeting after the area plan is approved to review a plan to build the park faster.
 - g) KARREN discussed that the details of what goes in the park and what the homeowners want will be key. The construction and addition of this park will

increase dues. If the assessment raise is over 20% the neighborhood reps will have to approve the assessment hike. He has had previous meeting and discussion with the reps about this possibility and feels there will be no problem with this.

- h) Discussion about Mountain Home development letter and that TMMA will be recording a notice of obligation against all their property to collect the fee on the closing of a residential dwelling unit. The fee will be called the private park amenity fee.
- i) PERRY stated that he has a majority of the Mountain Home owned property encumbered. He is willing to subordinate his first position right to this notice so that the contribution amount will be made to TMMA in the worst case scenario that he has to foreclose. Also brought up the point that park impact fees collected by Lehi City just for his units alone will be substantial. Hopes that the residents will make sure this money is put back into Traverse Mountain.
- j) KARREN has been assured from Lehi City that 85% will go back into Traverse Mountain.
- k) PLEWE raised the question about the binding nature of the letters.
- l) FETZER stated that he believes they are binding when we give our agreement in writing and the board resolution.
- m) HICKMAN raised the question that the land for the park is not yet owned by TMMA.
- n) It was discussed that through the area plan it has been zoned as a private park and so current ownership should be aware of this and it shouldn't be a problem.
- o) **MOTION**
 - i) KARREN MOTION to adopt the terms of the letters from Perry Homes, Riverbend and Mountain Home development. With stipulations that the money will be held in a separate account and to only be used for this 5.4 acre park. TMMA will track all private park amenity fees that will be collected at the time of certificate of occupancy. TMMA will record a notice of obligation against all property owned by Mountain Home development. The Board authorizes Karl Karren to accept and respond to the letters. The Board also authorizes our attorney Clark Fetzter to draft a resolution consistent with this motion to be adopted and signed by the board president and forward it to all parties involved. HICKMAN SECONDS. Unanimous approval.

2. No open forum at this meeting

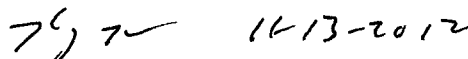
3. **Adjournment**

- a) PLEWE MOTION to adjourn meeting at 4:11pm, BIESINGER SECONDS, Unanimous agreement.

Minutes Prepared: Jeana McGuire

Minutes Reviewed: Jenny Hickman & Karl Karren

Board Approval:

Handwritten signatures and date: 7/7 ✓ 1/13-2012