

**COUNTRY CLUB DISTRICT HOMES ASSOCIATION  
SPECIAL MEETING OF THE BOARD OF DIRECTORS**

**October 30, 2006**

PRESENT: Chip Schmelzer, President  
Cara Newell, Treasurer  
Nina Hollabaugh, Secretary  
Jonathan Kemper

ABSENT: Kent Mueller  
Molly McGee

Guests Attending: Bill Dietrich  
Bob Donellen  
Clarence Foxworthy, Executive Director, Homes Associations of  
The Country Club District (HACCD)  
Lindsay Wood, attorney for HACCD

The meeting convened at 5:00pm.

**BUSINESS:** After introductions, the attached outline was distributed in order to discuss the proposed construction of a home on the lot at 1025 West 59<sup>th</sup> Terrace. In question was (1) whether or not the proposed building violates the building restrictions of our Homes Association and (2) whether or not, we as the Board of Directors have any powers or duties with regards to the interpreting and/or enforcing such restrictions.

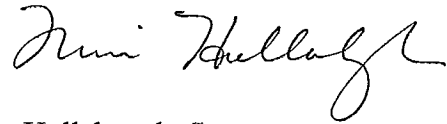
We reviewed the case summary, HACCD attorney opinions and explanations, the subdivision plat of Hamstead Gardens, the resurvey of Block 8, the current building plans and the Association's restrictions established in December, 1916. We also reviewed sections of our Country Club District Homes Association charter from July 1921 and that of our umbrella organization.

After much discussion it was determined that the "Free Space Required" and front line restrictions were difficult to interpret and justification for and against the current plans for the construction of the home at 1025 West 59<sup>th</sup> Terrace could be argued. It was also obvious that many homes in our neighborhood may also be in violation of the restrictions.

It was also determined that The Homes Association Declaration gives the Board of Directors authority to exercise its' discretion when interpreting and enforcing the covenant restrictions. However, it was unclear as to whether or not this Board now has any responsibility or authority to approve or disapprove of the plans submitted, as we are governed by the umbrella organization HACCD.

At 6:30pm we lost our quorum. No final decisions were made, nor actions taken. The matter was referred back to HACCD for discussion. The meeting was adjourned at 7:00pm.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Nina Hollabaugh". The signature is written in black ink and is positioned above the printed name.

Nina Hollabaugh, Secretary