

Cherry Hills North Homeowners Association  
Board Meeting  
May 5, 2009  
Minutes

A telephonic meeting of the board was held on May 5, 2009. The following Board members were present on the call: Jon Tandler, Dan McComb, Helen Dickens, Frannie Matthews, Linda Carney, Ryan Cunningham, Riki Hashimoto and Diane Reeder. Richard Johnston, counsel for the covenant, bylaw and articles amendment process for the Cherry Hills North Homeowners Association ("amendment process"), attended the telephonic meeting as a guest. The meeting was called to order at 2:05 p.m.

Jon Tandler, reviewed the history of the amendment process to date, noting that it was prudent with regard to draft status and budget to move forward in presenting the Amended and Restated Declaration and Agreement Establishing Protective Covenants ("Covenants") and Amended and Restated Bylaws ("Bylaws") to the members ("Members") of the Cherry Hills North Homeowners Association ("HOA") as well as to vote on approving the Attachment to Articles of Incorporation ("Articles") and the form of counterpart for amendment ("Counterpart").

Jon Tandler and Richard Johnston addressed issues raised in Frannie Matthew's e-mail sent at 1:14 p.m. of even date with the current meeting. A majority of the items had been discussed by the Board and members of the Architectural Control Committee on a number of prior occasions.

Dan McComb made a motion to approve the Articles and Diane Reeder seconded the motion. All members of the Board voted in favor of the approval with Frannie Matthews and Linda Carney opposing. The motion carried.

Helen Dickens made a motion to approve the Bylaws. All members of the Board voted in favor of approval with Frannie Matthews and Linda Carney opposing. The motion failed as unanimity was required.

As the motion was not unanimous, there was a motion to present the Bylaws to the Members of the Cherry Hills North Neighborhood Association

**Cherry Hills North Homeowners Association**  
**May 5, 2009 Minutes**  
**page two**

at the annual HOA meeting, scheduled for June 18, 2009, for consideration and approval. Jon Tandler made the motion which was seconded by Riki Hashimoto. All members of the Board voted in favor of approval with Frannie Matthews and Linda Carney opposing. The motion carried.

Dan McComb made a motion to submit a clean version of the Covenants to the Members for their review and consideration, and to include the Counterpart for the Members to memorialize their approval or disapproval and a letter that summarizes the amendments in the Covenants and sets out contact information for obtaining a red-lined version of the Covenants, if desired. Ryan Cunningham seconded the motion and all members of the Board approved with Frannie Matthews and Linda Carney opposing. The motion carried.

Diane Reeder made a motion to appoint the Board to take such actions as necessary to complete the procedural requirements of completing the documents for filing and recording including but not limited to correction of scrivener's errors, preparing a cover letter directing the governmental entity to file and record the Covenants, submitting the approved documents for filing and recording, and paying the filing and recording costs from the HOA's special assessment account. Riki Hashimoto seconded the motion and all members of the Board voted in favor with Linda Carney opposing. The motion passed.

A motion to adjourn the meeting was made by Frannie Matthews and seconding by Dan McComb. The motion was unanimously approved.

The meeting was adjourned at 2:45 p.m.

Submitted by:



Diane F. Reeder  
Secretary, Cherry Hills North HOA