

MEMORANDUM

DATE: August 10, 2008

TO: Hills of Neskowin Home Owners Association

FROM: Robert E. Binger Jr. & Kelly J. Binger
Lot 10 - 5930 Pacific Overlook Drive, Neskowin, OR

SUBJECT: **To be Presented at the August 16th HON HOA Meeting**
Board of Directors / HOA Committee Members
Oath of Office

As long time owners in the Hills of Neskowin, we have seen many changes since we first purchased our home on Lot #10 in 1998 from Fred Butterfield. In purchasing the home at that time, we were drawn by the beauty of the area and the commitment from Mr. Butterfield of his vision with regard to the Hills of Neskowin development.

At the time we purchased, there were only five permanent homes built, ours being one of them. Phase II, as Fred called it, had not yet started. In purchasing our home from Fred, he described his vision as follows:

- The development would be built with the intent of preserving the natural beauty of the area, and that in addition to his identification of where homes should be built in order to ensure that all home owners would always have an unobstructed ocean view from their home.
- This commitment was for all owners, with no differentiation being made between part-time, vacation, and full-time owners.

In keeping with this commitment, Fred was directly and indirectly involved in many of the homes that were subsequently built in the years to follow. Under Fred's tutelage, homes were placed in specific locations and built to specific size, again to ensure that all homeowners, both current and future, would have the benefit of an unobstructed ocean view.

Since Fred's departure from overseeing this development, however, we have seen this vision fade. Home placement has not always been in accordance with the original vision and plan. As such, some of the structures have then caused a negative domino effect on either existing or future homes to be developed.

We present to the Hills of Neskowin Board of Directors and Design Review Committee the following:

- The current Board and Committee members pull the original plan documents and return to overseeing the development of our community in the manner that it was intended and represented.

- That all Board and Committee members be sworn in to their respective office and take an oath to:
 - o Work together in the development of our community in the original vision from which it was created;
 - o Represent all owners equally, with no separate privileges or exceptions being provided to full-time owners that are not also provided as a matter of course to part-time or vacation owners;
 - o Defer to all owners for a vote prior to making decisions that are outside of the general guidelines of the CCRs to ensure that all owners opinions and ideas are represented fairly; and finally
 - o To ensure an unbiased committee, any board or committee members who may have a conflict of interest with regard to any specific issue will abstain from any related discussions and from any related vote.

We ask that this memorandum to the HOA Board of Directors be read at the meeting to be held on August 16th, 2008, included in the meeting minutes, and subsequently voted on by all HOA owners.

Thank you,

Robert E. & Kelly J. Binger
Hills of Neskowin, Lot #10