

09-1514

SOUTHPOINTE OWNERS ASSOCIATION

July 31, 2009

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Re: Pre-Application for Lot Splits and Rezone

Gentlemen:

As you know, following the meeting on June 30, the Board solicited legal advice regarding the interpretation of the CC&R's relating to the lot-splitting/rezoning of your parcels. Attached is the legal memorandum the Board received from Hefner, Stark & Marois. As you can see, their analysis of the CC&Rs and the various plan documents suggests that 3 more lots are authorized to be mapped for Southpointe. Also attached is a legal opinion provided by Craig Sandberg for Mr. Gularte.

Based upon Hefner's legal analysis, the Board plans to advise the County that the total number of lots currently under consideration before the Planning Department exceeds the number of lots authorized by the plan documents. Amendments to the plan documents would be required in order to accommodate the various lot split/rezoning applications under consideration.

Sincerely,



Lisette Suder

Professionally Managed by Kocal Management

A Division of the Management Trust

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Submitted by Greg Gularte
#28

at Board Hearing of 1/12/10