

FIRST DRAFT

CANTERBURY LAKES HOMEOWNERS ASSOCIATION, INC.

DEVELOPER/BUILDER UPDATE

JANUARY, 2005

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Happy New Year Canterbury Homeowners! We trust you all had an enjoyable holiday season, and that you found time for some important rest and relaxation. Along with the New Year, many people have made some resolutions or set some goals for 2005. At the annual meeting on November 15, you indicated that there was room for improvement with respect to communication and having your concerns addressed in a timely manner. In that regard, the Association is proposing to make several changes over the next few months that will improve not only the communication process, but will strengthen the deed restriction and architectural enforcement areas of your Association as well. As you may or may not know, it is the duty of the Board of Directors to ensure that the Association is run efficiently and that property values are maintained at their highest levels. Star 101, your developer, and Westfield Homes, your builder, are working together to work out all the details to ensure that your Association and

Community are a success in 2005. Therefore, in order to begin the process for achieving the first goal for 2005, which is improved communication, we will attempt to inform you via this newsletter of what is in store for Canterbury Lakes in 2005.

ASSIGNMENT OF DECLARANT RIGHTS

After much discussion, it has been decided that once Westfield purchases the remaining homesites in Phase 4 and once Star 101 has fulfilled other developer obligations, Westfield Homes will accept an assignment of declarant rights from Developer. Basically, what that means to Canterbury Homeowners is that Westfield Homes, and not Star 101, will then be responsible for directing the management of the homeowners' association. Westfield will elect a new Board of Directors, which will be comprised of Westfield Associates. The very first task of the Board will be to:

HIRE A MANAGEMENT COMPANY

Westfield has solicited three proposals from management firms in the Tampa and will select a new management company to represent the Association. All homeowners will be receiving a letter of introduction from the new management company once a decision has been made. We hope to have this accomplished by April 1, 2005. We are looking at firms that have past experience and are very technology oriented. In that regard, the Board proposes to:

DESIGN AN ASSOCIATION COMMUNITY WEBSITE

Wouldn't it be easy if you could contact your builder, the management company, the Board of Directors, peruse your Association documents or print out the architectural forms that you needed with just one click? Most importantly, the Board of Directors could communicate daily (if need be) with each homeowner by posting news pertinent to the Association upon occurrence. All you would need to do as a homeowner is log onto the website as often or as little as you desire to keep abreast of community information. If the information you are looking for is not there, you could click on a link to contact your management company, builder, Board, etc. We are very excited about this potential website and we hope to have it up and running shortly after the transition to the new management company. The website will contain:

ARCHITECTURAL GUIDELINES AND FORMS

It has been brought to our attention that fences continue to be erected that do not comply with the community guidelines. The Management Company will be guided by the Board of Directors to strictly enforce these provisions. Some of you may be required to either remove or alter your fencing. We are attaching the fence criteria for the community at the end of this newsletter. We ask that all homeowners review it carefully to determine whether or not your fence meets these criteria. These guidelines were put in place to protect and enhance the property values within Canterbury Lakes. We respectfully ask that all homeowners comply with the guidelines. Failure to do so may result in hefty legal costs for the Association.

Some homeowners have installed adjacent side fencing, which is causing grass and weeds to grow between the two side fences. Generally, once a homeowner installs a side fence, it is customary in the industry for the adjacent owner to attach to the existing fence. If you and your neighbor have adjacent side fences, we ask that you spray between the fencing to kill the grass and weeds from future growth. Additional architectural challenges include:

DRAINAGE PROBLEMS FROM HOMEOWNER IMPROVEMENTS

Some of you have installed pools or screen rooms on your home after you closed, and perhaps your contractor did not do the proper grading and site preparation, and now you may have drainage problems. Please be advised

that neither the Developer nor the Builder is responsible for any drainage problems on a homesite that are caused by a pool or enclosure not provided by the builder. A new architectural application will be posted on the website that will include the appropriate disclosure language, which will require a homeowner signature in order to install a pool or screen enclosure. These guidelines are being put in place to protect you and your investment from potential improper site preparation by a contractor.

VANDALISM BY CHILDREN WAITING FOR SCHOOL BUS

It has been reported that children are damaging the braces on the trees near the entry, as they are hanging from and walking on them while waiting for the school bus. The landscape contractor has restaked these trees on more than one occasion. As this activity is costing the HOA unnecessary repair expenses, we ask all parents to govern their children accordingly.

ENTRY LANDSCAPING

At the annual meeting it was stated that the existing signage was not highly visible. Star 101 and Westfield are designing a signage package for the southeast corner of phase 4 that will be visible and seen from both directions. As for the existing signage, we will have the trees and shrubs trimmed back, and at the end of March (after all threats of freeze damage have passed), we will install some additional annuals and plants to enhance the aesthetics of this area. No decisions have been made at this time as to what exactly will be installed.

Some of you have inquired about the landscape contractor and perhaps rebidding this contract. Since Westfield will soon oversee the management of this HOA, we would like the opportunity to work directly with the existing contractor for a few months before making any decisions on changing contractors. Due to our experience in bidding, the amount currently being charged by the existing contractor is not out of line for the areas being maintained; however, the new Board would like to monitor their performance and quality of work prior to any further considerations.

DRAINAGE EASEMENTS/GRASS CARP IN LARGE LAKE

Biological Research Associates, the contractor who maintains the water bodies throughout your community, installed grass carp in the large lake on _____ to assist with the algae growth. **(John Greer please confirm this)**. All homeowners who abut any water bodies within the community must take caution when fertilizing their lawns. If it rains or if you water directly after applying fertilizer, there is a possibility that the fertilizer will run into the water body, which will create algae. We ask that all homeowners refrain from fertilizing 10 feet from any water body.

YEAR END FINANCIAL REPORT

Pursuant to Florida Statute 720.303(7), the Association shall prepare an annual financial report within 60 days of the fiscal year, and the Association shall provide each member with a copy of the annual financial report or a written

notice that a copy of the financial report is available upon request at no charge to the member.

All homeowners are hereby notified that the financial report will be available by March 1. If you would like a copy of the financial report mailed to you free of charge, please e-mail Lwalmsle@tampabay.rr.com and state that you would like a copy mailed to you. Please provide your full name and address on the e-mail. If you would like the financial report provided to you via e-mail, please state so and provide your e-mail address.

(Lori, please confirm if this procedure is okay with you or if you just want to mail one of these out to all homeowners of record).

FENCING ISSUE AT NORTH BOUNDARY OF COMMUNITY

For those of you who attended the November 15 annual meeting, a topic that was discussed was the continued vandalism and trespassing of the northern boundary fence from adjacent communities. Star 101 and Westfield have discussed this issue at great length, keeping in mind the concerns of the homeowners and the ultimate goal. After much discussion, at this time we have concluded that the erection of either a six or eight foot block wall or PVC fence will not solve the problem any better than the existing wooden and chain link fence. The “problem” is the behavior and disregard of privacy and property values by the adjacent communities. We feel tackling the “problem” and not spending additional funds needlessly that will not resolve

this issue would best serve the Association.

It seems the trespassers, who appear not to be your adjacent homeowners from Clair Mel but just north of them, are gaining entry mainly through two points of access that are currently owned by the County. Star 101, on behalf of the Association, has sent a letter to County Commissioner _____ dated _____ **(John to provide name and date)** to inform him/her of the problem and inquire about measures the County can take to alleviate access through these areas.

We have also spoken with the recreation directors at your sister community, Pavilion, regarding their experiences with this situation. They, too, had similar problems, and they took it upon themselves to correct the problem by forming committees and hiring a full time recreation attendant who monitored I.D.’s. The problem has now been resolved and they have no further issues. We realize that Canterbury does not have any recreation facilities or the budget to employ a full time guard or on-site manager; therefore, we will need to tackle this situation with help from the County Commissioner, the Sheriff’s office and the existing homeowners.

It appears that there is a fifteen-foot easement on the north side of our fence to the existing rear fence of many of the homes in Clair Mel. If the residents of Clair Mel were to extend their side fences to abut our north fence, that would close up the easement and the trespassers would then need to trespass through the individual yards of Clair Mel to gain access to our property. If the County approved of this plan, Westfield

and Star 101 would be willing to pay for the extension of these side yard fences and repairs to the existing north fence to alleviate this situation. If the County was to then close up their two access points, trespassing should be reduced. If need be, we could also dispatch a security guard intermittently to patrol the area until the trespassers get the message that this behavior will not be tolerated.

We currently understand that a few homeowners are serving on a committee to call the Sheriff's office when trespassing occurs. This committee will need to continue and in fact will need to grow until a first arrest is made. Once the trespassers know that they will be arrested, we are confident the activity will cease, as it has at the Pavilion.

Per your request we did receive a bid for the installation of a six-foot high block wall to replace the existing wooden fence on the north side of Phase 1. The bid was \$74,800 for a six-foot high wall and \$86,900 for an eight-foot high wall. To run the wall the entire length of the community north boundary (to include phase 2B), the cost would be \$131,400 and \$151,200 respectively. Despite the cost, we do not believe the installation of a wall is going to stop the trespassing. These trespassers take the time to cut through a chain link fence. What will stop them from jumping over the wall? This can be done with a lot less effort than cutting through the chain link. The Association currently has excess funds of _____ approximately \$ _____ that will carry over into 2005 (**Lori, please provide figure**). We feel that the Association's contribution of these funds toward the installation of a block wall could be better spent in other ways, as the wall

will not solve the problem. The only thing that is going to solve the problem is community involvement and the arrest of trespassers.

Some of you also inquired about the installation of a PVC fence if a block wall was not feasible. A PVC fence, although more aesthetically pleasing than a wooden and/or chain link fence, is not as strong as either the wooden or chain link, and therefore would be even more susceptible to easy removal or tear down.

As requested, Star 101 has not done any repairs to the existing north fence until a decision was made on how to proceed. Both Star 101 and Westfield recommend the following actions:

1. A meeting of the Canterbury Lakes committee members with the Developer, Builder and County Commissioner to discuss this issue and inquire about what actions the County can or will take to assist with this matter;
2. A mailing sent to all Clair Mel homeowners advising them of the desire to extend their rear yards to our northern boundary to close off additional access points;
3. Repairs to the existing wood and chain link fence completed;
4. Formation of additional committee members and implementation of a security guard for the first few weeks following repairs; and
5. Continued efforts by the committee to call the Sheriff's office when

trespassing occurs and have the trespassers arrested. Once word gets out those violators will be prosecuted the problem should subside as it has in the Pavilion.

If you are interested in serving on the committee and/or attending a meeting with the County Commissioner to discuss this issue, please e-mail Lwalmsle@tampabay.rr.com to get on the list. In an effort to keep association expenses at a minimum and to communicate as fast as possible we respectfully request that you provide your e-mail address so we can notify you via e-mail regarding the time and place of this and any subsequent meeting.

We realize that many of you have your mind set on a block wall, and we respectfully ask you to consider all

avenues before spending your excess 2004 revenue on a "fix" that will not resolve the problem. We believe it will be the tenacity and perseverance of the homeowners of Canterbury Lakes, in conjunction with the County and Sheriff's office that will resolve this concern.

We hope that you found this communication beneficial and we look forward to your participation on the committee. Should you have any questions or concerns regarding these matters, please feel free to contact Lwalmsle@tampabay.rr.com or Dhudrlik@stanpac.com.

It has been a pleasure providing this information to you, and we look forward to 2005 and the many exciting goals we have for Canterbury Lakes HOA.