

Minutes of the Meeting
Of the
Tartan Pines Owners Association Board of Directors
Dec. 2, 2004

Present: Billy Cotter, Ben Henderson Jr., Linda Ellis-Bolton, Steve Hagins

Upon motion of Billy Cotter, seconded by Ben Henderson Jr., the following were nominated as officers for the coming year:

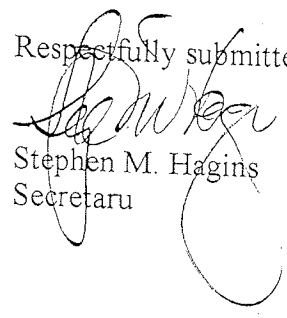
Bert Barr	President
Linda Ellis-Bolton	Vice-President
Ben Henderson Jr.	Treasurer
Steve Hagins	Secretary

All Ayes. The motion carried.

Ben Henderson said he had contacted a sign company regarding the legibility of street signs. The vendor suggested a holder affixed to the post holding a more legible sign. Ben agreed to try to get and install a sample for residents to examine. Linda observed that the relation of the sign to light posts was all a factor.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Stephen M. Hagins
Secretary

TARTAN PINES OWNERS ASSOCIATION

BOARD MEETING

DECEMBER 2, 2004

AGENDA

ELECTION OF OFFICERS

STREET SIGNS

NEXT MEETING BOARD MEETING
JANUARY 13, 2005

**MEETING MINUTES OF
TARTAN PINES OWNER'S ASSOCIATION
ANNUAL MEETING
TUESDAY, NOVEMBER 16, 2004**

Billy Cotter welcomed everyone and asked Joe Talmadge to pray a blessing for the food.

After dinner, Billy Cotter introduced the Board of Directors of the Tartan Pines Owners Association as being Linda Bolton, Bert Barr, Jay Maher, Steve Hagins, Ben Henderson, Kinn Pittman and Billy Cotter.

Billy Cotter called for committee reports beginning as follows:

Covenants Committee - Harvey Watt, chairman of the committee, reported that they have not met much this year. They have met as things came up, reviewed and discussed various complaints and problems, then passed these issues on to the Board of Directors. Mr. Watt took a moment to explain how the Covenants Committee operates. He then stated that the Board of Directors and all covenants have the full support of the Covenants Committee. Some of the complaints they have addressed this year are political signs, gates, vehicles parked on streets, and signs on empty lots. All complaints have been considered with some still pending. Mr. Watt encouraged the homeowners to bring their concerns to the Covenants Committee for consideration - that they have a voice in the community. He then gave the names of those serving on the committee as being himself, as chairman, with Linda Bolton, Virgil Danielson, Ross Bonura, Hugh Meade and Clem Mynard as committee members.

Billy Cotter then requested everyone stand and introduce themselves as there are many new homeowners since the last meeting.

Landscaping Committee - Joe Talmadge was then called on to give the report of the Landscaping Committee. He introduced the committee members

as being himself as chairman, along with Duane Johnson, Ann Edwards, Addie Jowers and Ben Henderson. They have had two meetings this year. The first item on their agenda was to erect the fence surrounding Robertson Court. Crepe Myrtles and pine straw were added to the area. In the future, flowers and bushes will be planted in front of the Crepe Myrtles. An irrigation system was installed on the fence row separating Robertson Court from Tartan Way.

Duane Johnson maintains the entrance of Robertson Court and helps with the entrances. Other things need to be done. The committee wants to see further beautification of the front entrance to the community and improvements at the entrance to the Clubhouse. Much murmuring of agreement by the crowd was made at this statement. Mr. Talmadge invited the homeowners to offer their suggestions for beautification to the common areas in the community. He said the Landscaping Committee is a recommendation committee and wants input from the homeowners .

Social Committee - Beverly Mitchell reported that they had a New Years Eve party that was fun and a wine tasting in April that was a resounding success. They overspent their budget for the wine tasting and therefore have not had any more parties this year. They welcomed the homeowners ideas and suggestions for the Christmas season - especially a party for the children. Mrs. Mitchell suggested more "covered dish" dinners as it is a lot of fun to get together and eat. She also reported that the homeowners get together at poolside each Wednesday night at 6:00 pm. Each person brings a dish and they fellowship together. There are usually about 25 people that attend. She encouraged all the homeowners to come out, eat and relax by the pool. Mrs. Mitchell then asked if anyone was interested in having a New Years Eve party this year to please let the committee know as soon as possible.

Seasonal Committee - As Rhonda Barr, chairman, was unable to attend, her report was given by her husband, Bert Barr. He thanked the following people for their hard work in decorating the community last Christmas season: Gil Viera, Rich & Jamey Roy, Mark & Jennifer Fassel, Matt Pellegrino, and Sandy & Dovie Ankrom.

He reminded everyone that this years holiday season is fast approaching. The committee will begin decorating the community for Christmas this Saturday. They need help in getting this done. Most of the women that make up the Seasonal Committee have small children. This makes it difficult for them to do all the decorating themselves.

Mr. Barr asked that anyone that could to meet at his house this Saturday at 8:00 am. If everyone helps, they can be finished in about 2 hours. They will be decorating the same areas as last year - the pool, street lights, front entrance, back entrance and bridges.

Nominating Committee - Bert Barr is chairman of this committee and gave the recommendation that, after their quarterly meeting on October 14, 2004, they submit the following individuals to serve on the Board of Directors:

Jay Maher to a one year term

Linda Ellis Bolton to a two year term

Bert Barr to a two year term.

The Board of Directors made these nominations and terms during the quarterly meeting and now present them for a vote. Kathleen Ferrell motioned that these names be accepted. R.C. Guinn seconded the motion. All voted to accept the recommendation with none opposed.

Billy Cotter mentioned that suggestions are very welcome - to please let him know when they see things in the community that are not right. He is out here so much until he doesn't always see problem areas.

Treasurer's Report - Ben Henderson gave this report.

Ben asked for everyone's cooperation in getting the word to him as people move into the community. He needs names, addresses, etc., so that statements for association dues can be sent out in a timely manner. This information needs to be given to Debbie DuBose to be included in the next residential directory.

The first report Mr. Henderson presented was the Profit & Loss Budget vs. Actual for January 1-November 16, 2004. He went over the Member Assessments Uncategorized Income. He explained that the figures were within \$1,000.00 of what was projected. These figures were budgeted on 123 lots. Directory advertising was a new line added with \$2,075.00. We only spent \$1,488.24 on producing the directory, showing a profit of \$586.76. Landscaping on Tartan Way totaled \$3,251.82. The monies allotted for the landscaping of the By-Pass entrance will cover the corner of Tartan Way and St. Andrews getting cleaned up. Pool maintenance was \$5,928.09 and under budget because the mulch at the pool was not replaced. The colored mulch does very well and lasts a lot longer than the other kind previously used, so new mulch was not required.

Mr. Henderson commented, laughing, to Kathy Ferrell that yes, the homeowners could have \$500.00 for a Christmas party.

He went on to say that the major project this year was the fence at Robertson Court. The \$8,900.00 spent included sod, crape myrtles and 525 bales of pine straw. These are unbudgeted items purchased because of a carryover in the last years budget. Straw will be replenished in March 2005. There were repairs, irrigation costs, two meters purchased at \$500.00 each.

Total expenses for the year were \$28,938.45. We have \$5,000.00 left but this will go towards the budget for the rest of the year. The balance sheet reflects a current checking account balance of \$12,583.37. There are no receivables - all dues have been paid for the year. Lot assessments will be billed in January 2005 and all lots will be billed. There is a difference this year in the amounts that are being billed. Robertson Court will be assessed \$350.00 per lot as will Rosemont to maintain the large amount of grass along the fencing.

The next item addressed was the common area on Tom Morris Lane. Trees are down from Hurricane Ivan. Mr. Henderson suggested that for only \$20.00 per lot each year, the common area could be maintained by the association. It costs about \$740.00 per year to maintain this area. He said that the monies paid into each neighborhood can only be spent on that neighborhood. Each area has its own money budgeted. 2002 had 75 lots assessed. 2003 had 108 lots assessed and 2004 had 125 lots assessed but were budgeted for 141 lots. \$38,070.00 was the total assessed for the lots. If all lots sell and build, this will add \$17,828.00 - or a budgeted amount of \$55,000.00. As we get more money, we can do more in the future. At the same time, we need to build capital reserves into the budget. We won't be able to do so this year, but can start to build these reserves next year.

Presently, we are funding a reserve fund for the pool and Turnberry Lane. The revenue for Rosemont and Tom Morris Lane are expensed at the bottom of the P&L sheet which makes these lines wash. Tartan Way is the largest new budgeted item.

The bridge area has been neglected. Three or four times this year the bridge area has had to be cleaned with no money in the budget to work with. So note the new financial line for bridge landscaping.

The Turnberry gate is budgeted for clickers. Our clicker supply is very low and we must reorder to accommodate the addition of Rosemont. We have budgeted for this in 2005. Total expenditures are \$45,630.00.

Today, including the 42 lots on Rosemont, we have a total of 207 lots. When

we sell 75% of the lots - and as of today we have sold 140 lots out of 155 necessary for the 75% mark - the developers will no longer have a primary role in the Association.

We will make this number by the end of the year. Jim Blackmore asked to say that again. Mr. Henderson reiterated and went on to say that the homeowners will have control of the common areas. Billy Cotter interjected that the homeowners will elect the Board of Directors, not the developers. Some discussion of this took place by Billy Cotter and Jamey Roy at which point Ben Henderson said he welcomed the participation of all in the discussion. Ben explained that in 30 days it will be the end of Class "B" (the developers) and Class "A" will take over (the homeowners"). He asked if they would like to have a special meeting to elect three members to the Board of Directors until the next annual meeting. A director from each neighborhood will be elected and one at large. Ben then asked if they wanted to have a special meeting between now and Christmas? No one answered. Al Klang asked what would be accomplished if they did meet. Billy Cotter replied that nothing would change and the meeting would be redundant. R.C. Guinn said can I make a motion that we don't meet? Billy explained that a whole board would be elected next year. Their terms would be staggered and they would rotate off. Mr. Guinn made a motion that the homeowners skip the meeting and leave the members as they are until the next annual meeting. Jay Maher seconded. All in agreement with no opposition.

Jim Blackmore asked why the meeting is held in November of each year.

Ben Henderson answered that it is because we are so near the end of the year and the current actual figures are close to the end of the budget year. Also, it's a good time to go over the proposed budget for the next year and get it approved by the association members. Joe Nichols asked Ben to please repeat the board members, which he did. Jim Blackmore asked, "And they'll stay on til next year?". Ben replied yes and they will have an organizational meeting in December. Ben Henderson asked for any more questions or discussion. He invited everyone to come see him and talk if they had anything on their mind. Don't wonder about it. All items have an invoice. It's your association and money so feel free to come and see him if you have questions. Mrs. Raymond Ferguson said she had a window broken by a golf ball and asked if there was any money in the budget to replace her window. Lots of laughter by everyone as Ben Henderson replied "No".

Matt Pellegrino asked about the maintenance to the wear and tear of the surface on Turnberry Lane. Heavy trucks in and out due to construction will make the asphalt wear out sooner than normal. Billy Cotter assured everyone

that if the road had to be resurfaced sooner than expected then the developers would contribute to the resurfacing.

The homeowners would not have to pay the entire cost.

Billy Cotter asked for any more questions or discussion on the budget. Al Klang made a motion to accept the proposed budget for 2005. Many people seconded at the same time. Voted to accept the motion with no one opposed. Ben Henderson again asked for help on address changes, etc.

Billy Cotter said the Board of Directors will meet December 2, 2004, to elect a president and officers. Billy said he has enjoyed being president but feels that a resident needs to be the president of the Association Board of Directors. Al Klang asked if the meeting was open to the homeowners and Billy assured him it was. Linda Ellis-Bolton suggested that the date be published in the newsletter when the Board is going to meet. She went on to say that she wants everyone opinions, for example, on the back gate issue, the Board can't meet everyone's desires but the Board can get a consensus to when the gate should go down at night. It goes down at 6:00 now. Ben Henderson explained that it doesn't go down until a car goes through it. That activates it. It has to be that way, otherwise, it might come down on top of your car while you're trying to come through the gate.

Jamey Roy brought up the street sign issue as she did last year. She says you simply cannot read the signs at night. Charlie Merritt agreed and says its a lettering problem. R.C. Guinn suggested the letters be a contrasting color. Billy Cotter said he would check on this problem and find a solution.

Jim Blackmore said there was a firetruck out here last Saturday. They could not find Robertson Court. He suggested that the house numbers be painted on the curb.

Billy Cotter said that after many requests by the residents, 3-way stop signs had been installed at the intersections. This should help with the speeding problems.

Rhonda Parker asked if the "3-way" signs were up. Billy Cotter said they had been installed today.

Billy Cotter then said the Rosemont lot sales will get us up over 75%. Today, there are 87 completed homes and 17 under construction. Rich Roy asked Billy what would be the total when all homes were completed. Billy replied there would be 207 homes in the community.

Billy Cotter called for new business and these discussions followed:

Michael Hardin reported that on Saturday night, November 13th, he watched

a car with 4 teenage boys manually lift up the back gate and drive through, while yelling obscenities and cursing he & his wife. He called the police. He is concerned about the safety of the homeowners. Billy Cotter then addressed the recent vandalisms that have occurred.

Matt Pelligrino & Al Klang had concerns about who is responsible for cleaning empty lots, buffer areas and trees down on the side of Hole 1 at the dog leg. Billy Cotter referred them to the Board of Directors.

Patrick Lett asked if trees could be thinned out behind his house? Billy Cotter explained that policy reads that a homeowner can mark what trees he wants cut down then submit to the Board of Directors for approval. The cost of tree removal falls to the homeowner.

Lynda Tucker asked if there are plans for a playground for the children. Billy Cotter said plans are pending.

Matt Pellegrino mentioned the cracked and broken sidewalks due to the heavy trucks. Billy Cotter said he will get the sidewalks repaired at his own cost. The problem is that he can't get a subcontractor to do the work because they are booked up with new houses. He will get these fixed as soon as possible.

Kristi Woodall said they need another streetlight on Tom Morris Lane. It's too dark. Billy Cotter said the City of Enterprise is responsible for adding streetlights. He will get Glenn Dykes to talk to the City about getting a streetlight put up.

Al Klang asked if the curbs were marked for 911? Billy Cotter said "No". Much general discussion from the homeowners among themselves followed this statement.

Jamey Roy brought up friends, relatives and company being able to get in and out of the back gate when it's down. Billy said that the Association gives 2 free clickers per household. All extras are \$25.00 each. If a homeowner would like to purchase extra clickers for this purpose, the Association will be happy to accommodate them.

Billy Cotter asked for any other questions or discussion as it was getting late. There were no other concerns. He then made his closing remarks. The community as a whole is getting better. We are not where we need to be but we're looking good. The good news is that the more lots we sell the more money in the budget and the means to continue to improve. We will get the neighborhoods like we want them. Keep working together to improve the community! Also, give some thought about who you want to elect next year on the Board of Directors.

Linda Bolton wanted an update on the restaurant. Ben Henderson addressed

this issue. He said the restaurant is now geared for the golfer. Jennifer Fassett is the new Manager. She can also do small group parties. She is willing to work hard and wants to please her customers. She is not able to serve large groups right now. If a homeowner wants to have a large event they are welcome to use the facility. There will be a facility fee charged. We have several names of caterers we can recommend. The restaurant is open 7 days a week for lunch and breakfast is served on the weekend.

With that said, Billy Cotter adjourned the meeting and thanked everyone for coming.

Minutes taken by: Dellie DuBois

Reviewed by: A. B. Anderson

Tuesday November 16, 2004

AGENDA
Tartan Pines Owner's Association
Annual Meeting
November 16, 2004

1. **Welcome and Prayer**
2. **Introduction of Board of Directors**
3. **Committee Reports**
 - a. Covenants Committee - Harvey Watt
 - b. Landscape Committee - Joe Talmadge
 - c. Seasonal Decorating Committee - Rhonda Barr
 - d. Social Committee - Beverly Mitchell
 - e. Nominating Committee - Bert Barr
4. **Treasurer's Report**
 - a. 2004 Budget Actuals
 - b. 2004 Balance Sheet
 - c. 2005 Proposed Budget
5. **Community Improvements Update**
 - a. Stop Signs Installed at Tom Morris Ln. & Robertson Ct.
 - b. Completion of Tartan Way landscaping at Robertson Ct.
 - c. Addition of 42 lots on Rosemont Court
 - d. 87 Homes completed
 - e. 17 Homes under construction
6. **New Business**
7. **Adjourn**

MEMO

TO: BILLY COTTER

FROM: RAINER COTTER

DATE: NOVEMBER 11, 2004

RE: TARTAN PINES HOMEOWNER'S ASSOCIATION

Billy: I have reviewed the covenants and by-laws for Tartan Pines. What follows are my opinions related to when control over common areas is transferred to the Homeowner's Association and the procedures that would be followed related to such.

First, the Covenants state that there are two classes of voting members in the Association. Class A members are lot owners and the Class B member is Tartan Pines Dev. Co., Inc.

Of course, as long as Tartan Pines Development Co., Inc. has Class "B" membership, it can control the Association. This is because the covenants state the Class "B" member holds one more vote than all of the Class "A" members until Class "B" membership terminates. The covenants state that Class "B" membership terminates and becomes Class "A" membership when one of the events stated below occurs first:

1. When Class "A" members, other than the Declarant, owns seventy-five (75%) percent of the lots permitted by the Master Plan for property described in Exhibit "A";
2. January 1, 2006; or
3. When, at his discretion, the Declarant so determines, with the approval of any first mortgagee of Declarant, if necessary.

Apparently and confidentially, I do not think you ever had an Exhibit "A" as referenced in number 1 above, but I think this would be construed to mean all the property of the subdivision, including all the property in the various phases.

The covenants state: "From and after the happening of these events, whichever occurs earlier, the Class 'B' member shall be deemed to be a Class 'A' member. At such time, the Declarant shall call a meeting, as provided in the Bylaws of the Association for special meetings of the Association, to advise the membership of the termination of Class "B" status and to elect the members of the Board of Directors."

The Bylaws state as follows: Special Meetings. Special meetings of the Directors shall be held when called by written notice signed by the President or by a majority of the Directors. The notice shall specify the time and place of the meeting and the nature of any special business to be

considered. Not less than three (3) days notice of the meeting shall be given to each Director by either, written notice by First Class mail, postage prepaid, telephone communication or telegram provided, however, that if notice is sent to a Director by First Class Mail, such notice shall be deposited into the United States Mail Box at least four (4) days before the time set for the meeting.

Therefore, Tartan Pines Development Co., Inc. would call a special meeting pursuant to the procedure stated above to inform the Board and members that its Class "B" membership has ceased. This is because the Bylaws state that once 75% of the lots are sold, Tartan Pine Development Co., Inc. no longer has the right to appoint or remove members from the Board of Directors. (Also, for your information, once the Class "B" membership terminates, the Bylaws say Tartan Pines Development Co., Inc. loses its veto right over Board actions.)

As to the make-up of the Board of Directors, the By-laws state that once Class "B" Membership terminates, there will be six directors, three appointed by the members and three by the Class "B" member until the regular, annual Board meeting occurs at which time the members would chose all directors. If you remember, we had a question about this related to the number of directors. I think we took the position that there had to be an odd number of directors so I assume you have seven directors. If I were you, once you get to the 75% lots sold, I would take the position that you can keep 4 directors appointed by Tartan Pines Dev. Co., Inc. and 3 elected and simply notify members that at the next regular, annual meeting, the members will vote on all directors.

The By-laws provide: "At the first annual meeting of the membership after the termination of the Class "B" Control Period, the directors shall be elected by both the Class "A" and Class "B" Members, with an equal number of directors elected from each Neighborhood and any remaining directorships filled at large by the vote of all members. At least one-half ($\frac{1}{2}$) of the directors shall be elected for a term of two (2) years and the remaining directors shall be elected for a term of one (1) year as such directors determine among themselves."

Therefore, if would have seven directors it would obviously be impossible for "one-half" of the directors at the annual meeting to be elected for two year terms since you have an odd number. It makes sense to me to simply elect three members for two year terms and four members for one year terms. All members would be selected by the membership at large since there would no longer be Class "B" membership. Another alternative would be for you to amend your by-laws at the meeting next week and institute staggered terms so that you would not have all four going off at once and then all three going off at once. Of course, you are not prohibited from re-nominating a director who has already served a term. That is, directors can serve consecutive terms.

Keep in mind that at the annual meeting, you simply get nominations for director. If you have 10 nominations, the top seven vote getters would serve. Also, remember that the By-laws say that your directors will be elected based on the Neighborhoods they live in, ie., one member per neighborhood up to seven.

Please let me know if all this makes sense.

November 12, 2004

✓
To: Ben Henderson, Billy Cotter, Steve Hagins, and Kinn Pittman

From : Bob Moore

Subject: Home Owner concerns and questions

Gentlemen,

Dee and I have lived in this community for the past 34 months. We were attracted to Tartan Pines for a number of reasons, but two of the fundamental reasons were the security of our investment and the quality of life. The Tartan Pines restrictive covenants relate directly to these fundamental concerns, now and in the future.

Rather than take an inordinate amount of time for my questions at the annual meeting, I thought it might be more courteous to submit them in writing and request a written reply.

The reference for all my questions is in the most recent Tartan Pines Golf Community Residential Directory for 2004.

Page reference for questions

(Unnumbered pages including index pages)

Page 3

Is there a reason the architectural committee members are not listed?

Page 5

Does one automated, night time only, gate on a private street accessing Tartan Pines meet a reasonable definition of a "Gated Community"? Will the public and private street accesses to Tartan Pines be gated in the usual understanding of the term in the future? When?

Page 8

Is the pool facility part of the Tartan Pines Golf Club as stated here as well as unnumbered page 17 and restrictive covenants page 4? Are fees charged for private functions held at the pool? Where is the revenue shown in the budget?

Page 10

Is the phone directory listing voluntary and authorized by each owner listed?

November 12, 2004

Page 20

How many pool members are there that pay a monthly fee?
Where is this revenue shown in the budget?

(Restrictive Covenants)

Amendment to Declaration

Article IX, section 3 is amended to change assessments to owners of more than one lot to be prorated on the basis of the number of lots owned. What is this formula or how is it prorated? What is paid to the association?

Page 3

Section 4 under definitions refers to "area of common responsibility" under the terms of the enclosed restrictive covenants and any supplemental declaration. Only one supplemental declaration is included (first page) or indicated in the restrictive covenants provided to home owner members. Are there any other supplemental declarations and if so when were they recorded and why are they not included in this package?

Page 4

Section 13 states in bold type, capital letters that "THE GOLF CLUB AND ALL RELATED PROPERTY IS EXCLUSIVE PROPERTY OF THE DECLARANT(OWNERS), ARE NOT COMMON AREAS AND ONLY THE OWNERS SHALL HAVE ANY RIGHTS IN AND TO THEM". This clearly implies that the swimming pool is included in this exclusive property. It is also stated on unnumbered pages 8 and 17. Why are members being assessed substantial common area fees for this exclusive property of the declarants(owners)? Will there be a refund of these inappropriate assessments? When?

Page 6

Section 29 provides for "supplementary declarations" that amends the declaration subjecting additional property to the declaration. Other than the first page, no supplementary declarations are included in this member package. Are there any other supplementary declarations? What are they? When were they recorded?

Page 10

November 12, 2004

Section 1 states that the architectural control by the architectural committee has guidelines available for member home owners. May I have a copy, please?

Page 14

Paragraph (f) states enforcement provisions of this declaration that appear in direct conflict with the provisions stated in articles XV, XVI, and XVII beginning on page 47. Which provisions are to be used?

Page 15

Section (i) essentially states that the architecture committee will always be the declarant(owners), now and in the future. How do you intend to integrate the responsibilities of the Board of Directors set forth in Article V, page 15 and the architecture committee? Who is accountable? For example, someone places a non approved, detached building on their lot. Who is responsible? Who takes action? Will the architecture committee provide copies of all approved plans to the board of directors?

Page 27

Class "B" ownership terminates when 75% of the lots permitted by the master plan for property described in exhibit A are owned by members other than the declarant(owners). The master plan shown in the map exhibit on unnumbered page 9 indicates 228 total lots in Tartan Pines Golf Community. Is this consistent with the property described in exhibit A? How many lots are currently owned by the declarant(owners)? Based on current trends, when will this 75% threshold of member ownership occur?

Page 28

When the declarant(owners) call a "special meeting" to advise the membership of the termination of class B status and elect the board of directors, what by laws or guidelines will be followed? There are no provisions or guidelines in the declarations describing how this event should be announced and managed.

Page 29

Article VIII is both alarmingly specific and vague in overall scope. In general terms that are clear and understandable, what is the physical description of all the common areas of responsibility for the association?

November 12, 2004

Page 47

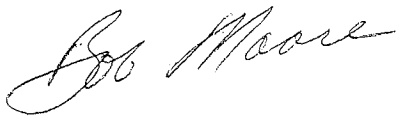
Article XIV, 3 states that the declarant(owners) can convey to the association, any real estate, improved or unimproved, that is described in exhibit A. Does this mean that the owners, for example, could convey the swimming pool to the association and require the association to maintain it? Would that also include a reasonable number of parking spaces to make the facility viable?

Page 55

It appears that the owners will "always" have the power to approve or disapprove of any amendment brought forward by the members and board of directors so long as they own a single lot in Tartan Pines. Is this correct? It also appears that the owners may amend the restricted covenants at anytime for any reason so long as they record the amendment in the public record of Coffee County. Notice to association members is not necessary. Is this correct?

These are the questions you may consider as raised at the homeowners meeting on 11/16/04. I look forward to your reply. Thank you.

Bob and Dee Moore
109 W Robertson Ct



MINUTES OF THE BOARD OF DIRECTORS
OF TARTAN PINES OWNERS ASSOCIATION

OCTOBER 14TH, 2004

PRESENT: Jeff Maher, Ben Henderson, Kinn Pittman, Linda Ellis-Bolton, Bert Barr, Steve Hagins,
Billy Cotter

Minutes of the July 8th meeting were read and approved upon motion by Linda Bolton, seconded by Ben Henderson. All Ayes.

Ben Henderson gave a treasurer's report, a copy of which is attached. In 2004 we billed for 108 lots and budgeted for 123, anticipating 15 closings. The 2005 budget will bill for 125 lots, and budget for 138, anticipating 13 closings, representing an assessment of 35,260.

Discussion about assessments reflected that the right side of Rosemount will need maintenance, which would necessitate a different assessment for Rosemount owners, as well as different assessments for other owners. Included in all assessments would be the maintenance of the entrances, the pool, and the fence on Tartan Way. There was discussion of special projects like the entrance of Robertson Court and the common area triangle at Tom Morris. Dues were proposed at \$270 base, \$286 Robertson Court, \$285 Tom Morris, and \$350 Rosemount. All dues are to be proposed at the Annual Meeting as part of the budget approval process. Linda proposed making the proposed budget available ahead of time.

Paid directory advertising amounted to \$2025 vs. a cost of approximately \$1,500. Residents have been notified that directories are available. Ben suggested a reprint in 12-18 months.

Ben also discussed some significant line changes. He noted that the developers paid \$3200 in taxes and insurance for the association, observing that savings were realized by lumping the association coverage under the developers coverage. He stated that while the developers would not be able to do that forever, the association would be much better able to afford it when we approach an all lots sold status. He concluded by stating that goal was to reinvest in the community, not to accumulate cash.

Jay Maher moved that the treasurer's report and proposed budget be approved, subject to a \$5 increase for Tom Morris to \$290. Billy Cotter seconded the motion. All ayes.

Billy Cotter suggested that standing committees be contacted to present reports at the Annual Meeting. He noted that new stop signs had been put in, and that the city had on order the "3-Way" subsigns to be installed.

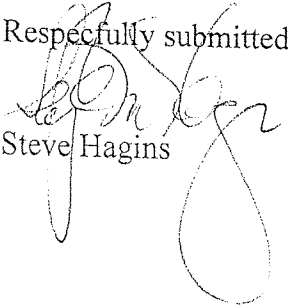
There was continued discussion of the gate closing. For safety reasons, the gate is designed to close when the first car goes through after the designated closing hour. It would be unsafe for the gate to automatically close at a given hour because of the possibility of a vehicle going through at that moment. This causes the gate to close at different times, which has raised a continuing question about timing. Billy Cotter observed that the ownership of the pool had been discussed, and that the ownership of the pool would remain with the developers.

Discussion of the annual meeting time and date was conducted. Upon motion by Jay Maher seconded by Billy Cotter, the date for the meeting was set to be November 16th, dinner at 5:30 and meeting at 6:30. All ayes.

Billy Cotter observed that there would be a restructuring of the board when 75% (of 207) lots had been sold. That number is 155, with 140 currently sold. When that point is reached, a special meeting is to be held, with 3 "A" directors nominated and 3 "B" developers appointed. The process of selection of the 7th director was somewhat unclear, and Ben and Billy were to do research. Billy Cotter suggested that the current "A" directors form a nominating committee to nominate directors. He also observed that if the current "A" directors could be nominated to serve on a staggered basis, that would allow for some continuity in the board going forward.

Jay Maher noted a problem with a manhole on Tom Morris, and Billy was to look into that. He also observed that two owners vehicles had been broken into the previous night. There being no further business, the meeting was adjourned.

Respectfully submitted,


Steve Hagins

TARTAN PINES OWNERS ASSOCIATION BOARD MEETING

October 14, 2004

AGENDA

- I. APPROVAL OF MINUTES
- II. TREASURERS REPORT
 - a. Balance Sheet
 - b. Profit & Loss
 - c. 2005 Budget
- III. COMMUNITY DIRECTORY - Completed
- IV. COMMITTEE REPORTS
 - a. Annual Meeting Committee Reports
- V. COMMUNITY CONCERNS
 - a. Stop Signs
 - b. Gate Closings
 - c. Pool
- VI. NEW BUSINESS
 - a. Proposed Annual Meeting Date - ^{Tues 16} ~~November 15, 2004~~
Last Year - ~~November 13, 2003~~ ^{TU}
 - b. Next Board Meeting - December 2, 2004
 - c. Election of Directors - 1 Year Term 2
 2 Year Terms 1
Nominating Committee to Present at Annual Meeting
- VII. ADJOURN

TARTAN PINES OWNERS ASSOCIATION, INC.
423 Tartan Way
Enterprise, Al 36330

October 14, 2004

NOTICE OF ANNUAL MEETING

To be held Tuesday, November 16, 2004

To: Members of Tartan Pines Owners Association, Inc.

Notice is hereby given that the regular Annual Meeting of the Tartan Pines Owners Association, Inc will be held upstairs in Tartan Pines Clubhouse Tuesday November 16, 2004 at 6:30 pm. There will be a "bring a dish dinner" at 5:30pm with the business meeting beginning at 6:30 PM for the following purposes:

- Committee Reports
 - Landscaping Committee
 - Covenants Committee
 - Seasonal Decorations Committee
 - Social Committee
- Nominating Committee Report
- Treasurer's Report.
 - Review of 2004 Financials
 - Proposed 2005 Budget
- President's comments
- Consider such other matters as may properly come before said meeting.

2005 Budget will be available one week prior to meeting.

Each lot is entitled to one vote to be cast by the owner provided that all dues and assessments are paid current at the time the vote is taken as stated in Article 15 of the Covenants.

By order of the Board of Directors,

Billy Cotter, President

TARTAN PINES OWNERS ASSOCIATION, INC.
423 Tartan Way
Enterprise, Al 36330

October 14, 2004

NOTICE OF ANNUAL MEETING

To be held Tuesday, November 15, 2005

To: Members of Tartan Pines Owners Association, Inc.

Notice is hereby given that the regular Annual Meeting of the Tartan Pines Owners Association, Inc will be held upstairs in Tartan Pines Clubhouse Tuesday November 15, 2005 at 6:30 pm. There will be a "bring a dish dinner" at 5:30pm with the business meeting beginning at 6:30 PM for the following purposes:

- Committee Reports
 - Landscaping Committee
 - Covenants Committee
 - Seasonal Decorations Committee
 - Social Committee
 - Playground Committee
- Nominating Committee Report
- Treasurer's Report.
 - Review of 2005 Financials
 - Proposed 2006 Budget
- President's comments
- Consider such other matters as may properly come before said meeting.

2006 Budget will be available one week prior to meeting.

Each lot is entitled to one vote to be cast by the owner provided that all dues and assessments are paid current at the time the vote is taken as stated in Article 15 of the Covenants.

It is the Board's desire that every lot holder attends in person to vote their lot. However, sometimes this is not possible. If you are unable to attend, PLEASE vote by returning your proxy in the stamped envelope provided.

PLEASE PLAN TO ATTEND OR MAKE SURE YOUR PROXY IS RETURNED.

By order of the Board of Directors,

Bert Barr, President

**MINUTES OF THE MEETING OF
THE TARTAN PINES OWNERS ASSOCIATION BOARD OF DIRECTORS**

JULY 8, 2004

Present: Jay Maher, Linda Bolton, Ben Henderson, Billy Cotter, Bert Barr.

Minutes of the April 8, 2004 meeting were read and approved as read.

Ben Henderson gave the Treasurers Report . It was also reported that all dues for 2004 had been collected.

Ben Henderson gave a handout which listed the advertisers for the Community Directory. Enough advertising has been sold to cover the cost of printing the Directory.

Committee reports were given by Linda Bolton representing the Covenants Committee. The basketball goal issue with Dr Lett was deferred to the ARC Committee.

Under new business the Board elected Duane Johnson to the Landscaping Committee. The house of Lot 32 B1 G build by Ronnie Gilley was found to Be a little short on landscaping. Much discussion followed as to who was Responsible for correcting the problem. Billy Cotter indicated he had Discussed it with Ronnie Gilley and would continue to follow up.

A proposal was made to purchase 60 Crape Myrtles from Phil Carroll to plant Along Tartan Way Fence at Robertson Ct. for \$25.00. This price included Planting.

There being no further business, the meeting was adjourned. The next meeting Is scheduled for October 14, 2004.

**TARTAN PINES OWNERS ASSOCIATION
BOARD MEETING**

July 8, 2004

AGENDA

- I. APPROVAL OF MINUTES
- II. TREASURERS REPORT
 - a. Balance Sheet
 - b. Profit & Loss
 - c. 2004 Dues All Paid
- III. COMMUNITY DIRECTORY
- IV. COMMITTEE REPORTS
- V. NEW BUSINESS
 - a. Next Meeting - 10/14/04
- VI. ADJOURN

MINUTES OF THE MEETING OF
THE TARTAN PINES OWNERS ASSOCIATION BOARD OF DIRECTORS

APRIL 8TH, 2004

PRESENT: Ben Henderson, Billy Cotter, Linda Ellis-Bolton, Steve Hagins

Minutes from the previous meeting were read. Upon motion by Ben Henderson, seconded by Linda Ellis-Bolton, they were approved as read. All ayes.

Billy reported that there had been some confusion regarding the locations for which to request traffic signs, and after discussion, Billy said he'd get the request for signs on the agenda for the next City Council meeting.

Ben Henderson reported that the irrigation/beautification project on Tartan Way near Robertson Court required \$500.00 water meters, and that landscaping and pine straw had run \$1,700.00 over budget. Upon request from the landscaping committee, he proceeded with the project, and charged the expense to unbudgeted landscaping/Tartan Way. Upon motion from Billy Cotter, seconded by Ben Henderson, the directors concurred in the expenditure. All ayes.

Ben Henderson reported on the price of the Tartan Pines directory, estimated to be \$1,500 to \$2,000. He asked the board to review a proof for committee assignments, etc. Billy Cotter said he had provided a copy of the covenants to Rainer Cotter to verify accuracy and current content before inclusion in the directory.

Ben Henderson reported that a homeowner on the 8th fairway was burning trash on a backyard pile, and also requested clarification about political signs which were starting to appear. It was agreed that the covenants prohibited such signs, and that action would be taken to request their removal. Signage is to be approved by the architectural review committee, and that the only signage currently approved were construction related signs and appropriate real estate for sale signs. There was also discussion of one resident's children playing on the fairways. Glen Dykes was to be assigned the responsibility to contact the parent regarding the prohibition of such activity and the safety issues involved. After discussion, it was decided to handle the political sign issue through the newsletter.

Various committee reports were given. The covenants committee had not met. The social committee was planning a wine-tasting. Ben reported that the Christmas decorations would be stored gratis in one of Billy Cotter's rental mini-warehouses, and after that we would pay for whatever arrangements we made. Ben Henderson presented a draft pool policy, and suggested that some reasonable exceptions needed to be made for the number of guests, but that all guests needed to be accompanied by an owner at all times. Upon motion by Steve Hagins, seconded by Linda Ellis-Bolton, the draft was approved. All Ayes.

There being no further business, the meeting was adjourned. Next meeting scheduled July 8th, 2004.

Respectfully submitted,

Stephen M. Hagins

MINUTES OF THE BOARD OF DIRECTORS MEETING
OF
TARTAN PINES OWNERS ASSOCIATION

January 15, 2004

Present: Mark Fassel, Billy Cotter, Linda Ellis-Bolton, Ben Henderson Jr., Bert Barr, Steve Hagins

Ben Henderson presented the year-end 2003 treasurer's report, which reflected a \$225.00 annual deficit due to purchase of \$1,400.00 in car clickers and some other minor line item overages. The cash balance was \$7,300.00 before the previously agreed on expenditure of \$3,500.00 for irrigation on Tartan Way near Robertson Court, and \$1,000.00 for plants in that area. Henderson presented a current owners listing, and asked for help in keeping that list current. Mark Fassel asked about the costs of power and water for the irrigation extension, and Henderson replied that there was a budget line item for that. Ben also reported that attendees at the Annual Meeting were given a personal information form to fill out for directory purposes, and that forms were being mailed out to those who did not attend. Ben also passed around a sample owners association directory which impressed all present. The Treasurer's report was approved upon motion from Mark Fassel, seconded by Bert Barr. All ayes.

Ben Henderson requested suggestions for storage of Christmas decorations. Possibilities of storage at the pool, in a mini-warehouse, and in the clubhouse basement were discussed, with no action taken. This was followed by various committee reports.

Billy Cotter reported that the social committee had held a New Year's Eve event. Linda commented that it was sparsely attended. Billy said that quarterly events were being planned, with no details at present. Linda reported that the covenants committee had been relatively quiet, and Bert Barr reported that the decorations committee intended to leave some holiday lights up until February 1st.

Linda commented that there were problems with visibility of some street signs, and the general feeling was that not much could be done about that. Bert Barr reported some vandalism to the street sign at Aberdeen and Tartan, and that Matt Peligrino had taken the initiative to do some repairs to it. Mark Fassel reported some leash law violations by new residents, and Linda asked for names to be given to the covenants committee. Mark volunteered to talk to the residents personally before any other actions would be taken.

Billy Cotter reported that he had talked to the city regarding stop signs, and was informed that the city did not regard speeding as a reason for stop signs. He commented that the entrance to Robertson Court and the first entrance to Tom Morris was also a safety hazard. Mark Fassel moved that we request the city council to put in four stop signs, seconded by Linda Ellis-Bolton. All Ayes. Discussion about "SLOW" signs ensued, and it was decided to see what effect the stop signs had before pursuing SLOW signs, which would have to be paid for by us.

Mark Fassel mentioned several possible replacements for him on the board, and it was agreed to ask Capt. Jay Maher to serve. Motion made by Linda Ellis-Bolton, seconded by Bert Barr, all ayes. Linda said to put an announcement in the newsletter.

Discussion was held about gate closings. It was decided to open the gate at 6:00AM and close at 9:00PM. The next meeting was scheduled for the second Thursday in April, the 8th. There being no further business, the meeting was adjourned.

Respectfully submitted,


Steve Hagins

TARTAN PINES OWNERS ASSOCIATION
BOARD MEETING

JANUARY 15, 2004

AGENDA

- I. APPROVAL OF MINUTES
- II. TREASURERS REPORT
 - a. Approval of 2003 Expenditures
 - b. Balance Sheet
 - c. Contact List
 - d. 2004 Dues - Billed \$31,386.00
- III. COMMUNITY DIRECTORY
- IV. CHRISTMAS DECORATIONS STORAGE
- V. COMMITTEE REPORTS
- VI. NEW BUSINESS
- VII. ADJOURN