



Silver OAKS Homeowner's Association-Phase I Board Meeting

February 11th 2016

Location:

Davidson Middle School

In Attendance:

Board:

Keith Boudreau, Vice President

Connie O'Neill, Treasurer

John Ensor

Carol Bishop

Tara Steadman

Mike Ply

Homeowners:

Barbara Cole

Chuck and Sue Rife

Chancey's

Minutes:

The meeting was called to order at 6:38 p.m. on February 11th.

The minutes of last months meeting were reviewed and approved.

The treasurer's report was reviewed and approved.

Keith provided an update on the sidewalk project. Before work may begin, sprinkler heads need to be located and potentially moved. The plan is to start the project in early spring and it will be done in three phases.

There was a discussion on street signs. Keith presented a green reflective sign made by the county and it was not acceptable to the board. Carol motioned that the project be tabled for a later date. John seconded. The motion passed.

The spring yard sale was discussed and the date was set for 16 April 2016.

The ARC had nothing to report.

Barbara Cole presented a letter (attached) from attorney Aaron B Wentz, P.A. to the board. The letter was discussed at length. Carol made a motion that we reply to the letter as requested and that she would prepare the reply. The motion was approved.

Once again, the board agreed to look into the issues that Barbara has noted and take action as required.

The meeting adjourned at 7:45 p.m.

j.r.o

AARON B. WENTZ, P.A.

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AARON B. WENTZ
Attorney at Law

February 5, 2016

General Practice
Criminal Practice
Bankruptcy Law
Personal Injury
Marital and Family Law
Wills and Probate
Guardianship
Civil Actions

SILVER OAKS Homeowner's Association
Phase I
Attn: Tim Bryant, President
P.O. Box 1542
Crestview, FL 32539

AFFILIATIONS

The Florida Bar
Okaloosa-Walton County
Bar Association
Federal Bar of the Northern
District Of Florida
Past Chairman, Ft. Walton
Family YMCA
Past Chairman, YMCA of
Florida's Emerald Coast
Okaloosa Community
Development Corporation
Board of Directors

RE: Covenants and Restrictions Violations

Dear Mr. Bryant:

Please note that I have been approached by a resident of the Silver Oaks Homeowner's Association, Barbara Cole. She has brought to my attention the fact that the current Board for the Silver Oaks Homeowner's Association is not looking out for the best interests of all owners of the Association. In particular, Mrs. Cole believes that the Board is selectively enforcing the requirements outlined in the Association's Declaration of Covenants, Conditions, and Restrictions. Mrs. Cole has documented no less than twenty – five separate violations of the Association's Declaration of Covenants, Conditions, and Restrictions. The above referenced violations consist of various failures to keep debris, trash cans, signs, trailers, etc. from the yards in the neighborhood.

It was brought to Mrs. Cole's attention that the Association Board has contacted some homeowner's regarding such violations but has not contacted others. In addition, the Board has failed to protect the interests of the Association by failing to require all of the owners to abide by the Association's Declarations. This selective enforcement by the Board affects the property values of all owners.

It is the responsibility of the Board to strictly enforce the Association's Declaration of Covenants, Conditions, and Restrictions, as failure to do so could result in the Declaration not being enforceable through a Court of law. The Board is not authorized to arbitrarily enforce the Declarations. A Court, in any future action to enforce the Declarations, will consider any arbitrary or unreasonable enforcement of the Declarations in reaching a decision on whether it should enforce such Declarations. Again, this will affect the overall stability of the Association and the owners thereof.

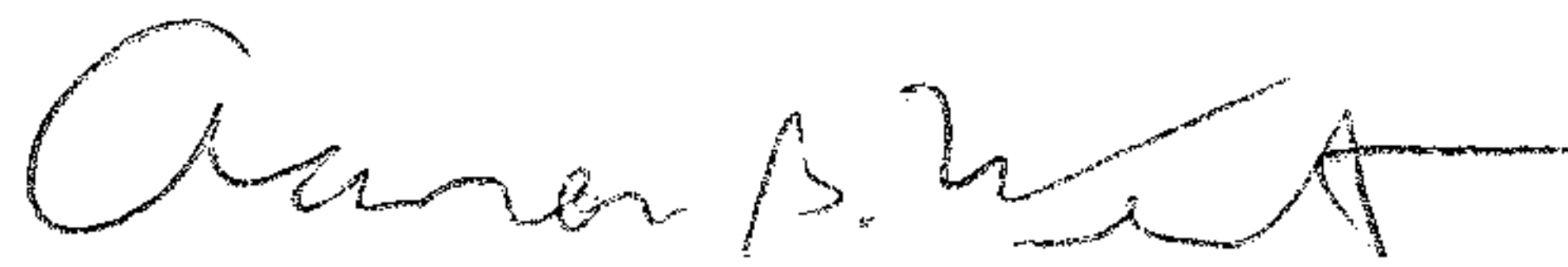
Mrs. Cole has requested that I notify the Board of her intent to take appropriate legal action to require the Board to act on behalf of the best interests of the Association, including all owners therein, should the Board not take a more unified approach to the enforcement of the Association's Declaration of Covenants, Conditions, and Restrictions.

Silver Oaks Homeowner's Association
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I need you to acknowledge receipt of this notice at your next scheduled Board meeting, and to provide such acknowledgment to me after that meeting.

Thank you for your attention to this matter and Mrs. Cole appreciates your assistance to making sure the proper procedures are followed on behalf of the Association. In the meantime, should you have any questions and/or comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Aaron B. Wentz". The signature is written in black ink and is positioned above the printed name.

AARON B. WENTZ, Esq.

ABW/hr