

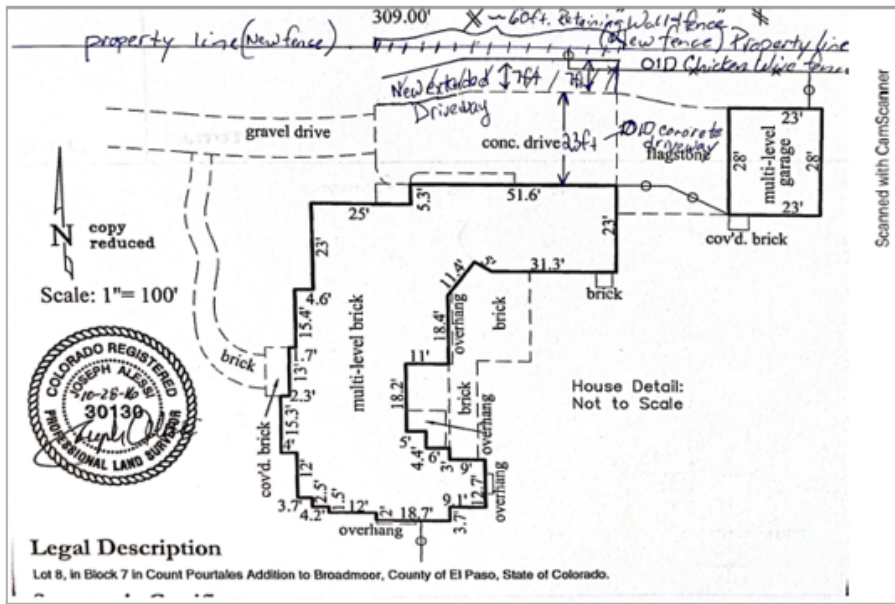
Exhibit A:

This is a picture of the old fence with chicken wire at the top of it. This was entirely on my property and I replaced it with a new cedar picket fence.



Exhibit B:

ILC of my property in October 2016 with the old driveway and new driveway. The ILC drawing below show the drawing of the old and new driveway as well as the retaining wall and fence.



Exhibits C, D, E & F

These exhibits show the difficulty accessing our garage before the driveway was expanded and afterwards.

Exhibit C pulling out of my garage with old driveway. If any of these videos don't work I will include in a separate attachments



Exhibit D

This video shows the difficulty of pulling into my garage with the old driveway dimensions



Exhibit E:

This video shows how much easier it is to pull into garage with expanded driveway



Exhibit F:

This video shows how much easier it is to pull out of the garage with the expanded driveway. Notice the back end of car utilizing the entire area near the fence.



Exhibit G:

These are various pictures of the spot lights from my neighbor's upstairs window facing our home. The spot lights were in place for almost 1 year and were turned on whenever we pulled into our driveway. We would see someone in the window turning the lights on after we arrived.



Continuation of exhibit G:

This is from our laundry room during the day shortly after we arrived at the house these were turned on.



These two pictures below show the shrubs between 17 Marland and 21 Marland were cut down by the Tracy's a few days after the basketball incident. We believe this is part of their campaign to harass us just like their effort in having us remove the fence or cut it down to meet code.

August 5th, 2019 bushes:



August 19th bushes cut down to prevent privacy on our side:



Exhibit H:

These pictures show the LGBTQ stickers in the window directed toward our son as well as the camera's facing our windows. I've also included for reference the LGBTQ sticker facing our mailbox.



This is my mailbox with the private property sign and LGBTQ sticker angled toward it.



Continuation of exhibit H:

This picture gives you a shot of the Tracy's surveillance camera which is directed into our kitchen



Exhibit I is a video I took pleading for my neighbor at 17 Marland to return my 8 year olds basketball. If this doesn't come through I will include in a separate attachment. Please turn up volume to listen to conversation.



IMG_3694.MOV

Exhibit J:

Letter from HOA indicating the heavy rainstorm affected many others in the neighborhood.

Count Pourtales Association Board
Colorado Springs Co 80960-0671

George and Amy Tracy
17 Marland Rd
Colorado Springs, CO 80906

July 20, 2019

Dear George and Amy:

As you know, the board is obligated to operate within the known facts. In regard to the washout of mulch in your backyard being caused by Surofchek's retaining wall, these are the facts as we know them.

1. the retaining wall is technically a covenant violation, but the board, along with ARC recommendation that it was necessary for the driveway, all decided it was unenforceable because of the fact that there are 3 other ones on that same side of Marland that were previously approved, along with some on Cheyenne Mtn. Blvd.
2. The fence and wall guidelines are for the ARC to use in their approval process. The fence was approved by the ARC. The two parties are in a dispute over where the actual property line is. Surofchek had his property surveyed twice by legitimate surveyors. His fence is built on his side of the property line markers and therefore does not fulfill the definition of the "common property line." Unless there is some sort of legal declaration that says the fence is not on Surofchek's property, the board has to use what we currently know as our baseline.
3. I have a copy of an approval letter from Janene McCann, as co-chair of the ARC, dated 4/18/19, telling Surofchek "No, you don't need to have ARC approval for planting a bush or tree, as long as it is on your property and not encroaching on your neighbors in any way. (Planting a bush or tree is considered a minor change to a home.)" Nancy talked to Surofchek about the mulch washout in Tracy's back yard and he told her that he is planting the trees in the area next to his detached garage to hold the soil that is currently located in the area where Tracys are complaining about drainage.
4. This was an unusually heavy rain storm that caused flooding and washout problems all over the neighborhood, so your incidence is not the only one.

We understand your frustration and acknowledge that the frustration goes both ways. As you are upset with various things at 21 Marland, they are also upset over various things at 17 Marland. None of these things are covenant related and therefore not within the duties of the board, but simply stated so that perhaps you both may be able to reconcile your differences.

The board is willing to review this if any of the facts as we know them have changed.

On behalf of the board,
Nancy Barber

Exhibit K:

Shows the new French drain I installed to mitigate water drainage from detached garage. This re-directed water from flowing onto 17 Marlands home, which was flowing toward their property for over 20 years until I installed this drainage system.



Exhibit L:

These are pictures of other homes who also have similar retaining walls and fences that are similar to my fence and are within a 500 foot radius of my home.

6 Cheyenne Mountain Blvd (First house off of Marland Road near 5 Marland)

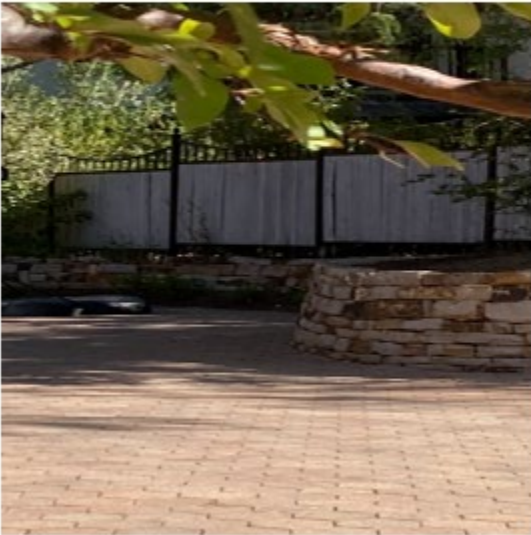


28 Marland:



14

5 Marland:



13

29 Marland:



Exhibit M:

This is a contour map of 17 & 21 Marland from 2011 showing the water has drained downhill since this map was done in 2011:

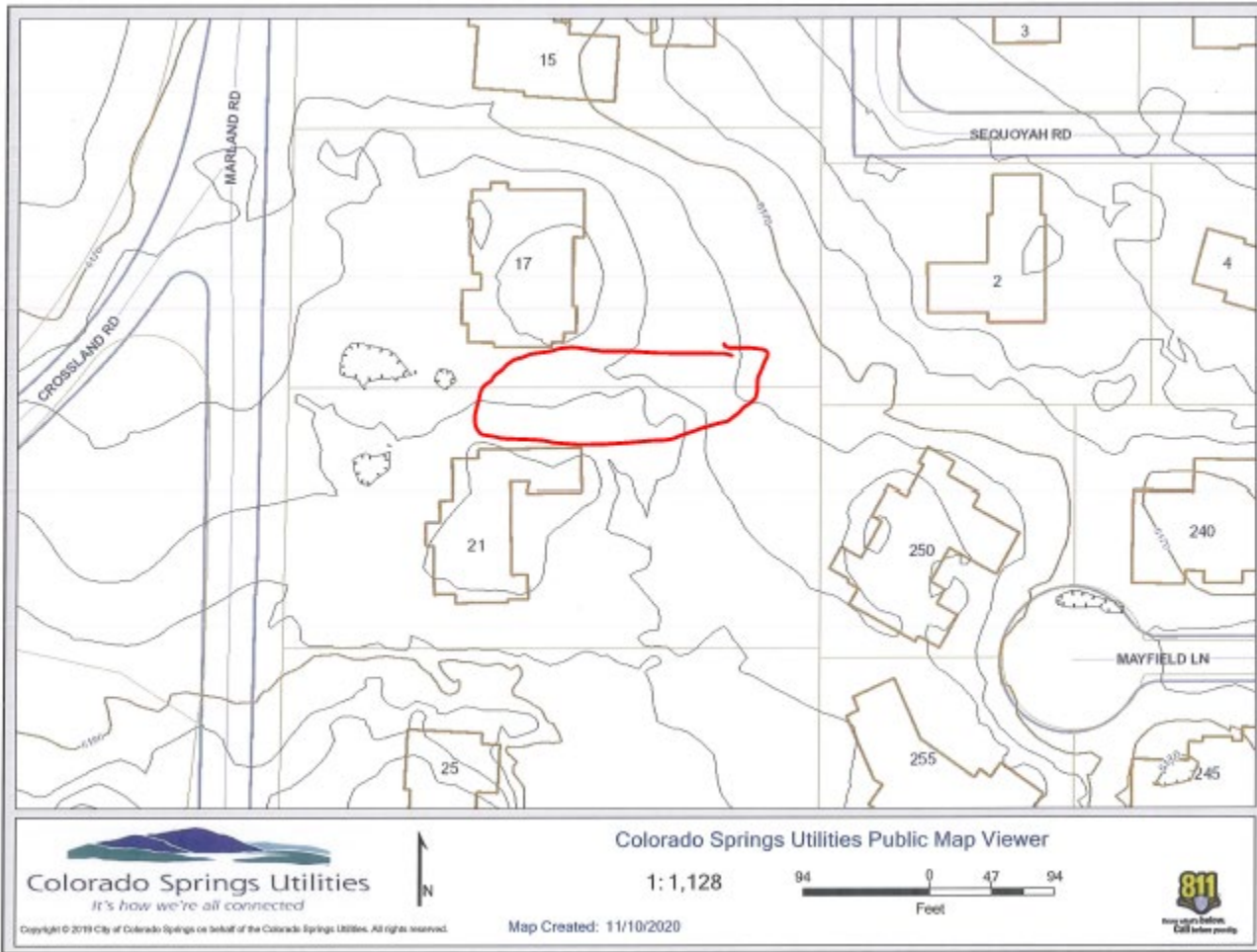


Exhibit N: These pictures taken on August 12th 2018 show the survey stakes I had Land Consultants put on my property line which were thrown into my trash can on my side of the chicken wire fence. This picture also shows the washed out area on the north side of the fence was there well before the retaining wall and fence were in existence.

