

March 1, 2021

Dear Surofccheks and Tracys,

This is an amended letter, for clarification, to the Board letter of January 25, 2021.

As part of 1/23/21 Count Pourtales HOA Board of Directors meeting, we discussed the dispute regarding your shared property line and reviewed the most recent submitted documents. Below are our findings:

The Board recommends that the drainage on the east of the end of the driveway and at the coach house be mitigated by the Surofccheks. The Board understands that some drainage infrastructure has already been installed but further evaluation after new rainfall will need to take place to ensure this has been adequately managed.

Regarding the property dividing structure, the Association Covenants state that all applicants are expected to know and follow city code. This 6' height restriction is mentioned within the "Fence Guidelines" of the HOA documents, but it is important to note that these guidelines are not part of the Association Covenants. While the Board supports the city's recent ruling that it should not exceed 6 feet from the lowest grade on the northern side, we understand that the Surofccheks have the right to appeal this most recent city planning decision to the city council. The Board will support the final decision of the city.

We hope that this situation can conclude with a mutually agreeable solution.

Respectfully,

Dr. Tom Dalsaso, Vice President

On behalf of the Count Pourtales HOA Board