

Mayelin Speech

Former board member Mayelin Stillwell has requested I speak on her behalf today about these deed restricted properties. Address is 15-1056 Kukane Ave.

All of the mailbox locations the board wants to develop are deed restricted properties and this creates a big issue with this board already spending thousands of dollars to plan and engineer one location. When the properties were presented to the Association by the original landowners, the deed was restricted. Simply put, the Association is not allowed to do anything with the property other than the following uses recorded in the deed:

".... The property shall always be used for park, playground, recreational or school uses only..."

It is impossible to imagine how mailboxes fit into "park, playground, recreational or school uses." And, the FAQ on the HPPOA website is wrong: Nowhere in the deed restriction is it stated that "communal" purposes are allowed. The language is clear – If the property is used for any use other than park, playground, recreational or school uses, the people who gave the property to the Association *or any property owner in HPP* can sue to enforce the restrictions, and all attorney's and court fees will be paid by the Association.

Now let me ask this of you folks:

Would you spend millions of dollars on building a house that was subject to ANY restriction?

Would you go ahead and spend your money and say, "Well, the guy who gave me the property said it was okay. But I don't have anything in writing and can't really prove it in court."

The Board has been asked many times to provide a written waiver of the conditions in the deed. We have yet to see any waiver by the people who gave the property to the Association. Without a written legal waiver, this board is gambling that no one in HPP will sue to enforce the deed restriction and make all of US pay for the court and attorney fees even if the HPP resident loses! Further, the FAQ claims that the family that gave the properties to the Association said that there was no problem with mailboxes. There is absolutely no evidence of this claim.

This board is risking our road fees for a project that probably a majority of members do not want. ~~This all could have been avoided if the board had simply worked with the USPS on roadside cluster mailboxes. Those who follow me today will discuss how expanding roadside mailboxes will meet safety standards requested by the USPS.~~

My demand is that this board not gamble with our road fees on mailbox locations that are deed restricted. If the board goes forward with these properties without first obtaining a written waiver from the original property owners, this board is operating in a reckless manner with our road fees.

s/Mayelin Stillwell