

April 4, 2001

Dear Dr. and Mrs. Lopez:

The Architectural Committee received your resevoir plan on April 3, 2001 and pursuant to your request for an expedited decision, met that evening to consider your request to construct a 75,000 gallon uncovered reservoir on the hillside at the rear corner of your 3.98 acre lot in Neill's Creek Farms subdivision to irrigate your lawn and shrubbery. After consideration, discussion and viewing of the proposed construction site, this Committee voted to deny your request because the designs presented and the location of the proposed fenced and uncovered 75,000 gallon reservoir covering an area of approximately 75 feet by 50 feet suggest that this reservoir may not be aesthetically pleasing or in harmony with improvements on your property or on the surrounding properties. More complete design information is needed. (see: Declaration of Protective Covenants for Neill's Creek Farms, Article III)

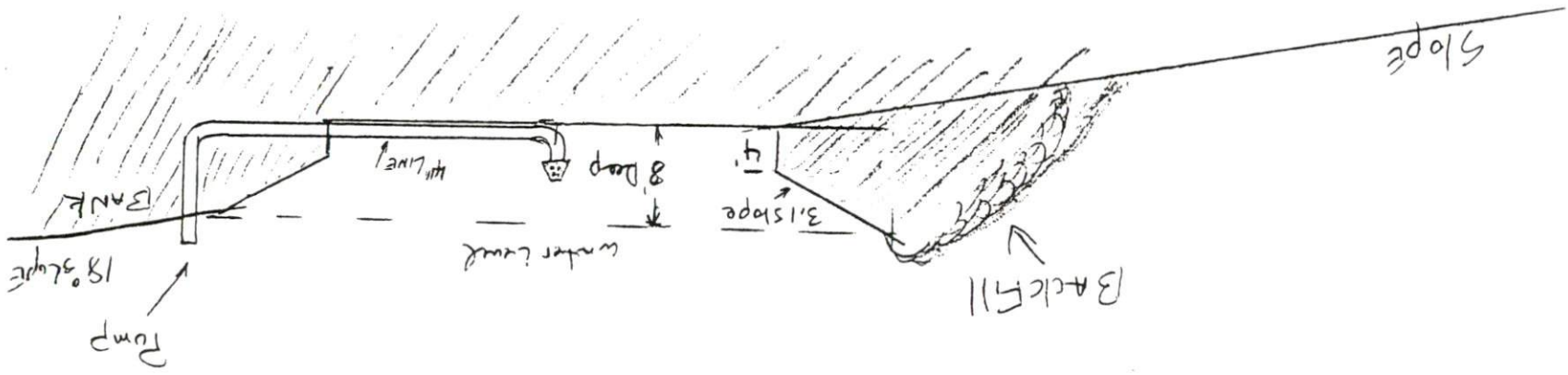
Moreover, we would need additional information that would establish that the design of the reservoir and the soils on which it would be constructed are adequate to contain 75,000 gallons of water on a hillside. We recognize that the failure of this reservoir could result in damage to adjoining properties thereby negatively impacting the beauty and aesthetic appeal of properties in our community.

Moreover, plans for the reservoir did not indicate the presence of any device to maintain the water level in the reservoir at a safe level. We were told that spillage or overflow from the reservoir would simply wash down the hillside onto adjoining owners' lands. We recognize that water could overflow from this reservoir as a result of overfilling and/or heavy rains and that such spillage could cause the creation of wetlands on adjoining owners' lands, where none previously exist and/or cause damage through erosion or destruction of vegetation and that such damage would not only be detrimental to the land, it would detract from the beauty and aesthetic appeal of our community. Moreover, the covenants specifically provide that no thing of any sort shall be maintained whose normal activity or existence is in anyway dangerous, unsightly or of a nature that may diminish or destroy the enjoyment of other property in the neighborhood. (Covenants, Article VI) Controlling spillage from the reservoir is an issue that must be addressed. We received objections to construction of the proposed reservoir from surrounding landowners who do not want their properties negatively impacted by spillage from the reservoir. They wish to maintain the quiet enjoyment of their properties as provided by law and by the community covenants. (Covenants, Article VI)

This Committee also wonders why a 75,000 gallon reservoir is required to irrigate your property. A committee member who lives on a lot of similar size in our community and who has a lesser flow of water from his well, has been successfully irrigating his property from a 3,000 gallon water tank.

Architectural Committee member Ted Martin, who has construction experience, called you on April 3rd to tell you the Committee's decision and discuss the matter with you. We regret that you refused to talk to him, saying only that you will see us in court and identifying your attorney by name. Should you change your mind, the members of this Committee stand ready to discuss this matter with you individually or as a group.

Sincerely,



Scale 1"=20'

SIDE VIEW

Proposed Hiding Reservoir
 Lopez Residence
 9-3-01

