

Victor Gardens East Follow Up Meeting

March 19, 2007

4:00 p.m. – 5:00 p.m.

Hugo City Hall

As a follow up to the previous meeting held on February 21, 2007 whereby resulted in 3 points to give further considerations. The points and our proposed resolutions are listed below:

1. Allow Neighborhood Representation to attend ARC meetings – We have prepared a written response agreeing to an appointed VG single family homeowner to act as a neighborhood liaison and attend regular ARC meetings. This position will be as an advisory position to review and monitor decisions of the committee and acclimate neighborhood involvement for future transition of the ARC to the neighborhood HOA.
2. Review with Ryland Homes their portfolio of home designs for possible architectural elements to enhance the plans into more four sided architecture and reduce the perceived “stage front” appearance. - We have met with Ryland and made progress in amending plans. However at this point we have only sketches of the proposed changes to share and discuss.
3. Consider amendment to HOA documents to maintain higher level of ARC standards on VG “West” that those that maybe permitted in the Ryland or Pratt Homes lots in Victor Gardens East 2nd Addition. – Out attorney, Pat Brinkman was consulted and offered the following response via email that I have copied here. “Presently, the Master Association Architectural Review Committee (ARC) governs all of the neighborhoods, including the single family neighborhoods and the Ryland neighborhoods. I assume the Declarant is still in control of the Master Association and can therefore appoint and direct the members of the ARC. The standards stated in the Master Declaration are very general and not specific. The Master Developer can develop and amend the Design Guidelines and Landscape Guidelines as it sees fit from time to time. You have complete and sole discretion over changing the Guidelines until you've sold every lot in the Development. You do not have to amend the Declaration to amend the Guidelines. The ARC can appoint an architectural advisory committee and delegate functions to it. The ARC may relinquish and delegate to a Village Association part or all of the ARC's authority. I don't see where the architectural guidelines are actually incorporated in the Development Agreement you forwarded to me except provisions regarding parking, setbacks, and the ARC obligation to review plans for compliance with the Guidelines established by the developer, as amended from time to time.”
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4. Conclusions and Summary -