

**MINUTES
RUBY RANCH OWNERS ASSOCIATION
BOARD OF DIRECTORS**

October 20, 2006

The Ruby Ranch Owners Association Board of Directors met at 5 p.m. on October 20, 2006 immediately following the Willow Brook Metropolitan District Board of Directors meeting. Board members David Robbins, Erika Karplus, Susanne Muller, Don Samuels, and David Spencer were in attendance. Also present at the meeting were Pat and Doug Tormey.

The first agenda item concerned the request by potential buyers of Lot 45 to obtain approval for additions to the home before closing on the property. The proposed additions would fall entirely outside the lot's building envelope. Board members reviewed sketches provided by the potential buyer's architect. While the design shown in the sketches appeared in keeping with ARC design guidelines, the Board noted that the Ruby Ranch Covenants dictate procedures for all approvals as well as those related specifically to variances such as construction outside the building envelope:

Article VI, Section 2: Approval by Architectural Committee: *excerpt*: "All buildings must be located substantially within buildable areas assigned to each lot as shown on a development guide map provided for each lot."

Article VI, Section, Section 5: Preliminary Approvals. "Person or associations who anticipate construction improvements on lands within the subdivision whether they already own lands in The Ruby Ranch or are contemplating the purchase of such lands, may submit preliminary sketches of such improvements to the Architectural Committee for informal and preliminary approval or disapproval, but the Architectural Committee shall never be finally

committed or bound by any preliminary or informal approval or disapproval until such time as complete architectural plans are submitted and approved or disapproved.”

Article VI, Section 3: Variance. “Where circumstances, such as topography, location of property lines, location of trees and brush, or other matters require, the Architectural Committee may recommend reasonable variances in writing as to any of the covenants contained in this instrument, on such terms and conditions as it shall determine to be appropriate, to the Board of Directors of the Association. If the Board of Directors does not disapprove the recommendation, in writing, within 30 days of receipt of same, it shall be deemed granted and approved by the Board of Directors.”

The Board members agreed that the Covenants are clear that only complete architectural plans are eligible for binding approval or disapproval by the ARC. The sketches submitted for Lot 45 are preliminary so the ARC may not render a final approval or disapproval at this point. On the issue of building outside the building envelope, a variance to the Covenants, David Robbins described the specific procedure the ARC has always employed to handle such requested variances. The ARC’s practice is to seek input on the proposed variance from all contiguous neighbors and require signed approval from those contiguous neighbors before recommending approval to the Owners Association Board. The Owners Board then makes the final decision regarding approval of the variance. This process encourages the applicant to discuss and address any concerns of their neighbors and vice versa. This process has been followed in all cases when original or additional construction is substantially outside the building envelope.

David Robbins will send an email communication and/or letter to the proposed buyer’s realtor indicating that the ARC and Owners Board are bound by the Ruby Ranch Covenants and

cannot provide a binding approval for additions to Lot 45 at this time. The letter will also describe the steps the proposed buyer should follow if they wish to pursue a variance to the Covenants.

The next agenda item related to various additional ARC issues. Several owners as well as Metro Services have expressed concerns about the disorganized state of construction on Lot 46. Protective fencing has not been installed and soil erosion appears to be a potential problem. John Longhill, Chair of the ARC, has communicated concerns to the lot owner but additional action is required. The Board will ask John to write a letter to the lot owners describing the specific deficiencies that must be addressed. John will also be asked to follow up with the Iliffs on Lot 51 to assure their driveway construction is consistent with their approved plans. The ARC was also asked to ensure that owners are aware of what kinds of improvements and construction require ARC approval. The Board noted that sewer and leach field work has been underway on both Lots 4 and 21 and questioned why the ARC was not involved in either of these projects.

The Board next discussed the need to consider additional members for the ARC given John Longhill's busy schedule and the fact that both Marty Davis and Marilyn Baldwin are selling their Ruby Ranch homes. David Robbins, also a member of the ARC, agreed to contact several owners who have expressed interest and/or have appropriate backgrounds to see if they would be interested in joining the ARC.

The final agenda item related to the rental policy adopted at the recent Annual Meeting. In order to implement the policy, the Board needs to have a contract in place with owners who intend to rent per the new policy. David Robbins said he would draft the contract if the Rental Committee sent him a list of elements that should be included. Don Samuels and Susanne Muller agreed to send David such a list.

There being no further business to come before the Board, the meeting was adjourned at
5:30 p.m.