

WHISPER CREEK HOMEOWNER'S ASSOCIATION of SANTA ROSA COUNTY

Board of Directors Meeting

May 2, 2016

Minutes

DIRECTORS ATTENDING:

Mike Patterson
Dan Dubose
Chad Willard

ALSO ATTENDING:

Kevin Etheridge – Association Manager
Members of the Association

REPORTS OF OFFICERS:

President, Chad Willard, informed the Board Members and the others in attendance as to the status of the Whisper Creek Subdivision Homeowner's Association of Santa Rosa County, Inc. vs. D R Horton, Inc. Whisper Creek is the Plaintiff in the lawsuit. Attorney, John Adams, with Emmanuel, Sheppard and Condon is representing the Association. The lawsuit challenges D R Horton, who has acquired lots from the Beil Group and established a separate association for those lots. The purpose of the association's lawsuit is to bring all of the lots back into the Whisper Creek Association. The association also argues that neither the Beil Group nor D R Horton have declarant status and association fees are owed for the past several years for multiple lots. The total amount currently owed is \$74,645.00. A Motion for Summary Judgement will be filed on behalf of both parties and each party has 20 days to respond. It is possible the suit may have resolution within 60-90 days after both parties have had their 20 days to respond. Right now, \$36,000.00 in attorney's fees are owed to Emmanuel, Sheppard, and Condon. In order to pay the attorney's fees, Chad Willard suggested the following options:

1. The Whisper Creek Homeowner's Association can Special Assess owners in order to pay the attorney's fees.
2. A loan from Adam's Homes in the amount of \$50,000.00 to the association.

After discussion and answering a number of questions and listening to input from owner attending, Chad Willard suggested the association accept a loan from Adam's Homes in the amount of \$50,000.00 and the attorney fees be paid from this association. Dan Debose made a Motion to accept the loan. Chad Willard seconded. Motion passed, unanimously.

It was agreed that the Minutes of this meeting would be distributed to the homeowner's who have e-mail addresses on file.

ADJOURNMENT:

There will be no further business. The meeting adjourned at 10:40 a.m.