



Ballena Bay Townhouse Association

MINUTES OF BOARD MEETING
January 6, 1981

P.O. Box 512 • Alameda, Ca. 94501

The meeting was called to order at 7:40 p.m. at 332 Tideway Drive, by Ian Roger, President, Ballena Bay Townhouse Association, who presided. Present were: Carole Hansen, Tom Sullivan, Ken Main, John & Marguerite Sullivan, Bill Maynard and Betty Oakey.

Bill Maynard presented plans for a proposed extension of his garage at 350 Tideway Drive along with proof of compliance with Board rules of neighbor notification. Ken Main moved to approve the plans as presented. Carole Hansen seconded the motion and it was unanimously approved.

A motion was made, seconded and approved to accept the minutes of the meeting of December 2, 1980 as distributed.

Ian Roger announced the resignation of Dave Wild from the Board of Directors. Ken Main moved to approve the resignation of Dave Wild. John Sullivan seconded the motion and it unanimously carried. Ken Main nominated Tom Sullivan to replace Dave Wild as Member of the Board. John Sullivan seconded the motion and the motion was unanimously approved. Ian Roger then appointed Tom Sullivan to Chair the Grounds & Maintenance Committee for the remainder of the 1981 year.

Matters Arising From the Minutes: Ken Main spoke to the problem of TV antennas in the development. Carole Hansen moved that antennae may be used but the design must be approved by the Board before installation. Ken Main seconded the motion and the motion was approved with one member abstaining.

Ian Roger read correspondence received.

John Sullivan submitted the financial report and Treasurer's report. Ken Main moved and Carole Hansen seconded to approve the Treasurer's report as presented and it was unanimously accepted.

Grounds & Maintenance Report: Ian Roger presented the report and requested that the minutes reflect that any homeowner having comments or suggestions to be directed to the maintenance employee that they please refer them to Ian at 521-4179 or Tom Sullivan at 521-3707 who are authorized to give directives to any employees. Ian Roger has an appointment to meet with the City Engineer and the Assistant City Manager on January 7 at Ballena Bay when the subject of the safety of the wave maze and the Association's fences will be discussed after which Ian will meet with the fencing company to discuss methods of improving security including the question of a fence and gate at the end of Cola Ballena. The results of these two meetings will be reported back to the Board at its next meeting Tuesday, February 3.

Carole Hansen is keeping an eye on the City of Alameda agendas and will attend a meeting January 7 at City Hall that will discuss Cable TV. She will report findings back to the Board February 3.

Safety & Security Committee: Ian Roger reported the suggestions of the Chairman of Safety & Security, Darrel Hickman, that homeowners be responsible for taking care of mail, newspapers, garbage cans, etc. when they are out of town. When things of this

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nature are left unattended it is a signal to burglars that no one is home.

Ad Hoc Committees: CC& R Revision Committee Report: Betty Oakey stated that there was nothing to report at this time. Wave Maze Committee: Ian Roger requested Ken Main to assume the Chairmanship of this committee and report back to the Board in February on the committee's recommendations to the Board concerning the Wave Maze.

Ken Main submitted brochures on solar heating systems to the Board. It was moved by Ken Main that in the interest of energy conservation that solar systems be accepted by the Board but each installation must be approved by the Board prior to installation. Carole Hansen seconded the motion and it was unanimously approved by the Board. It was pointed out that the brochure that Ken distributed is not necessarily approved by the Board or recommended by the Board, but other solar systems will be investigated and brochures supplied to homeowners for their perusal if they are interested.

Ian Roger thanked the committee for their efforts which resulted in the great homeowner get-together held December 14.

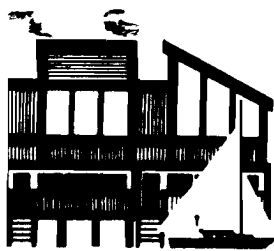
There being no further business, the meeting was adjourned to February 3, 1981.

Submitted:

CAROLE HANSEN, Secretary

Approved:

IAN ROGER, President



Ballena Bay Townhouse Association

MINUTES OF BOARD MEETING

February 3, 1981

P.O. Box 512 • Alameda, Ca. 94501

The meeting was called to order at 7:45 p.m. at 461 Cola Ballena Boulevard by Ian Roger, President, Ballena Bay Townhouse Association, who presided. Present were: Carole Hansen, Tom Sullivan, Betty Oakey, Marguerite Sullivan, Jerry Rasco and Ian Roger.

The Board agreed unanimously to approve the plans Paul Marsh submitted to extend a wall 36" x 12' to correct a jog in the construction of the wall.

A motion was made, seconded and approved to accept the minutes of the meeting of January 6, 1981, as distributed.

Treasurer's Report: In John Sullivan's absence, Ian Roger submitted the Treasurer's Report citing that eight homeowner's are in arrears with their dues. This matter of arrears may be referred to the CC&R Committee and while reviewing the CC&R's for revision, this Committee may make suggestions and proposals for possible procedures to remedy this situation. Carole Hansen moved to defer the acceptance of the Treasurer's Report until a question could be answered by the Treasurer. Tom Sullivan seconded the motion and it was unanimously approved.

Grounds & Maintenance Report: Ian Roger reported the progress on maintaining the landscaping. After discussion, it was moved, seconded and approved to accept the Report.

City and Other Associations & Authorities Report: Carole Hansen attended a meeting at City Hall in Alameda to discuss Cable TV and she found that the City is encouraging input in writing from anyone who is interested. She will continue to observe progress in this direction. It was moved, seconded and approved that her report be accepted.

Safety & Security Report: Ian Roger set a tentative date of March 10 for a meeting and it was suggested that a separate flyer be furnished apprising all homeowners of this event when it is finalized.

President's Report: Ian Roger met with the Acting City Engineer and Assistant City Manager concerning the wave maze and questions regarding liability and ownership of turn-around area at Tideway Drive west end. Various solutions were discussed and it was agreed to defer decisions until next Board meeting. Fencing was discussed to insure a measure of privacy and Ian was directed to proceed to investigate costs and methods. Ian stated that the Corps of Engineers notified the Association that the docks were put in without permits and he will ask the Corps of Engineers what remedy can be pursued and possibly submit a letter for an administrative change from the Corps of Engineers as the Association was in situ before the Corps became involved in issuing permits. The suggestion was brought to the attention of the Board of redesigning the docks in a herringbone fashion and it was moved, seconded and approved that the Board will come up with suggested method of variance and then applications on variances will be considered.

Ad Hoc Committee Reports: CC&R Committee Report. Betty Oakey, Chairperson, stated that she had been unable to persuade the other committee members to meet with her. She therefore suggested that interested homeowners should obtain copies of CC&R's from their title company and submit comments and suggestions to this committee before anything is written up. Also anyone interested in providing input would be welcome to attend a Board meeting in the future and speak to these issues. It was moved, seconded and approved that this report be accepted. **Wave Maze Committee Report:** In Ken Main's absence Ian Roger reported that Ian Roger will meet with Dames and Moore to attempt to resolve this issue. The

BALLENA BAY TOWNHOUSE ASSOCIATION
Meeting of February 3, 1981
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Association owes Morgan Noble \$560.00 for a report but the report should be submitted to BCDC for acceptance before payment is made. It was moved, seconded and approved to accept this report. Solar Systems: Betty Oakey reported that time is of the essence in investigating solar heating and Ian Roger stated that the Board will be polled when the information is assembled so there will be no hold up if it is found to be acceptable.

There is no New Business or Old Business, therefore, the meeting was adjourned at 9:37 p.m. to March 3, 1981 at the residence of Betty Oakey, 352 Tidway Drive.

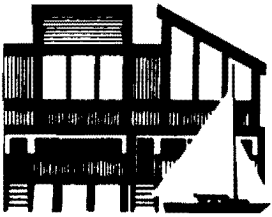
Submitted,

CAROLE HANSEN, Secretary

Approved,

IAN ROGER, President

2/4/81:ms



Ballena Bay Townhouse Association

MINUTES OF THE MEETING OF THE
BALLENA BAY TOWNHOUSE ASSOCIATION
BOARD OF DIRECTORS
March 3, 1981

P.O. Box 512 • Alameda, Ca. 94501

The meeting was called to order at 7:30 p.m. at 352 Tideway Drive by Ian Roger, President, Ballena Bay Townhouse Association, who presided. Present were: John and Marguerite Sullivan, Betty Oakey, Tom Sullivan, Ken Main and Ian Roger. Absent: Carole Hansen. Bob Rehfeld, a homeowner, also attended the meeting.

Ian requested that the agenda be approved with deletion of the CC&R Report and Wave Maze Report.

Ian read a letter dated February 20, 1981 from Roger Freed requesting the Board to approve a 3'+ overhang on a Chinese Junk, Sapu, that will be berthed in the channel upon completion of the sale of his townhouse. After discussion that assured that the neighbors are in agreement, Ken Main moved that the Board approve the 3'+ overhang as requested and described in Mr. Freed's letter, as a variance as long as it is not nor will become a hazard to navigation by themselves or others in the channel. The motion was duly seconded and approved.

Negative comments were reported from neighbors and members of the Association, on the new solar system installed on the roof of the Oakey residence, which is highly visible. Joe and Betty Oakey have agreed to move this installation to a position adjacent to the shed roof, as specified by the Board in its initial authorization. Discussion followed as to the aesthetic vs. economic value of such highly visible systems. Suggestions were made and discussed that might hide or beautify such installations. Ken Main moved that the Oakey solar system be allowed subject to it being moved to the agreed position within a reasonable time.* The motion was seconded and approved. Betty Oakey then suggested that a letter be sent to all homeowners with a tearoff portion, in order that other owners might benefit from the same price break she had enjoyed from the vendor. Tom Sullivan moved and it was duly seconded and approved, to implement this letter as soon as possible.

*Note of later action subsequent to the meeting. Ian Roger called Ken Main to ask for a definition of "reasonable time." Ken Main suggested 30 days. Roger then polled the Board and found them in agreement. He then so notified Joe and Betty Oakey in a letter dated and hand delivered March 6, 1981.

Betty Oakey requested that the minutes of the February 3, 1981 meeting be corrected to reflect that in the CC&R Report, the word "persuade" be removed and the phrase "unable to meet with the committee" substituted, and on the second page under Report on Solar Systems, it be changed to read that "Betty was directed to pursue the matter of solar water heating in Ken Main's absence and it is important to do this quickly because of the PG&E timeline." It was duly moved, seconded and approved to accept these changes to the minutes of February 3, 1981.

After discussion concerning an insurance claim it was directed by the Board that Ian Roger take the matter of insurance coverage to William Godfrey presenting Mr. Godfrey with a list of criteria of what the Townhouse Association expects to receive in insurance coverage. The Maintenance Committee was directed to compile this list of criteria for Ian to bring forward to Mr. Godfrey. This meeting is timely because insurance renewals will be coming up in August of 1981 and at that time competitive bids will be received and a list of criteria/specifications would be in order to aid the bidders.

MINUTES OF THE MEETING OF THE
BALLENA BAY TOWNHOUSE ASSOCIATION
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John Sullivan presented the Treasurer's Report for the months of December 1980 and January 1981. Tom Sullivan moved that this report be accepted; it was duly seconded and approved. John discussed the upcoming audit suggesting that the cost may be cut by having a homeowner who is a CPA aid in the audit.

Tom Sullivan requested that Ian Roger give the Maintenance Report at which time Ian requested that anyone who sees a broken sprinkler or an unattended sprinkler running at any time to please advise either Tom or himself immediately. Several other minor items were discussed such as washing away of soil near pilings, and these will be researched and attended to immediately. John Sullivan moved and it was duly seconded and approved to accept the Maintenance report as given.

In Carole Hansen's absence, Ian Roger announced that there will be a Public Hearing March 9, 1981 at 7:30 p.m. in City Hall that will hear issues involving Ballena Bay tidelands. If Carole isn't back on time to attend, some other Board member will attend.

Darrell Hickman will be holding a Safety Discussion and Meeting March 10, 1981 at the Ballena Bay Yacht Club from 7:30 - 9:30 p.m. All homeowners are urged to attend to learn techniques for deterring crime and making our neighborhood a safer area. Ian Roger urged that all homeowners be sure and shut their gates before leaving their premises as this is one of the most obvious methods of someone gaining entrance and of course the easy way.

Ian Roger has held discussions with Mrs. De Meuse on improving her property by putting up a wooden fence and gate with the Homeowner's Association providing a fence into the water for protection. The work will be done by the Association with Mrs. De Meuse paying for an agreed share.

It was reported that a container will be installed in the area of the Bridge for tools, etc. Various ways were discussed to discourage people from using the Tideway West End circle for camping, picnicing, etc. Ian Roger said he and John Sullivan will provide the labor and the Association will pay for the materials to chain off the circle and extend the fence.

The subject of herringbone docks was discussed and it was suggested that a feasibility study with costs be instituted at a future date to accommodate larger boats in the channel.

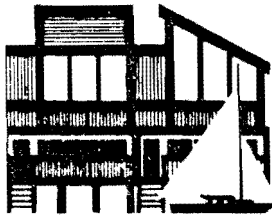
A motion for adjournment was entertained, seconded and approved at 9:55 p.m. The next regular meeting will be April 7, 1981, at 7:30 p.m., the Main resident at 463 Cola Ballena.

Respectfully submitted,

Marguerite Sullivan,
Recording Secretary

Approved:

Ian Roger, President



Ballena Bay Townhouse Association

MINUTES OF BOARD MEETING

April 7, 1981

P.O. Box 512 • Alameda, Ca. 94501

The meeting was called to order at 7:51 p.m. at 340 Tideway Drive, by Ian Roger, President, Ballena Bay Townhouse Association, who presided. Present were: Carole Hansen, Tom Sullivan, John & Marguerite Sullivan and homeowner Norm James.

Norm James presented plans and a sketch to improve his deck by cutting a window in the windwall and putting an anonometer on his roof. Ian called for discussion and study of the plans. Tom Sullivan then moved to approve the plans as presented. It was duly seconded and approved unanimously. Ian called for discussion on the anonometer. It was moved by John Sullivan, duly seconded and approved unanimously that the anonometer be painted flat black, be affixed to the side of the house and to extend no more than 3' above the roof.

Norm James offered the Board some advice on the antennae. The Board requested that Mr. James collaborate with Committee Chairman Dr. Jerry Rasco to set up guidelines and standards so that homeowners may consider some form of antennae improvement.

Ian read a list received from Board Member' Betty Oakey, that included requests for corrections to the minutes and other action. After discussion, Board Members decided that too much time is spent amending minutes and minor matters regarding semantics and Carole Hansen moved to make no changes in the minutes that do not affect the intent. Tom and John Sullivan seconded the motion and it was unanimously approved.

The Board discussed the appointment of a new Chairperson of the CC&R Review Committee. It was unanimously agreed that it is necessary to appoint someone from the Association as the current Chairperson has failed to hold a meeting or make progress in the review of the CC&R's and the task of this review of the CC&R's was a firm goal and objective of this Board and announced as such at the first meeting.

Ian read a letter dated March 6 addressed to Betty and Joe Oakey requiring the positioning of the solar system installed on the roof of the Oakey residence. According to information supplied by Mr. Ted Hall, a Solar Engineer, the system in question does not comply with the conditions mandated by PG&E or the State of California. In light of this information, Carole Hansen moved that the Board not publish information on the solar system that is currently on the Oakey roof as it does not meet the standards required, and that Vice President, Ken Main be directed to look into other available information on solar systems and report to the Board and homeowners. John Sullivan seconded the motion and it was unanimously approved.

In further action regarding solar systems for the Association, the Board directed, and John Sullivan so moved, that President Roger write a letter to Betty and Joe Oakey stipulating a limitation of April 30, 1981 to comply with Board requirements for resituating the existing solar system on their roof and this deadline will not be extended. Carole Hansen seconded the motion and it was unanimously approved.

A letter was received by the Board from Pob and Beryl Anderson expressing disagreement with the Board's decision to authorize the mooring of a vessel at 312 Tideway with an overhang over the headfloat. As a result of this letter, the Board had directed and the President had obtained an instrument signed by more than 75% of the Homeowners to amend the applicable section of the CC&R's. The President asked the Secretary, Carole Hansen to verify

the number and authenticity of the signatures on the instrument and pass it to the Recording Secretary in order that the amendment might be recorded with the County Recorder, County of Alameda and entered in the CC&R's as part of the official document. It was moved by Carole Hansen and seconded by Tom Sullivan that the action be taken. Tom Sullivan then moved that the action taken by the Board at the meeting of March 3 regarding the mooring of the vessel at 312 Tideway Drive be approved in the light of this amendment and that this action grant to Dr. Freed and the new purchaser, Dr. Prehn the same privilege of variance accorded previously.

Ian reported that Darrell Hickman had held a Safety meeting and that it was informative and interesting. Our thanks to him for this effort. Also the storage container was installed in the area of the Bridge and we are grateful to Jim Forni who provided the container, painted it, installed it with a crane on a Saturday and therefore saved the Townhouse Association a large amount of money along with the monthly rental of a garage.

Correspondence was read by Carole from Transco Services, Inc., regarding conveyance of the deed of property for the entire circle at the west end of Tideway Drive to Ballena Bay Townhouse Association. The deed has been recorded by the Association and acceptance of this property verified. A letter was received from John Popin, Esq., attorney, reporting on a lengthy litigation process that was finally found against a developer that may give BBTA additional information on legalities involved in developer's responsibility towards homeowners. Carole moved that the correspondence be accepted, Tom Sullivan seconded the motion and it was approved unanimously.

John Sullivan gave the Treasurer's Report. He demonstrated that the cash position is very satisfactory. The Audit will be ready by the end of April and provided for each homeowner at that time. John moved for acceptance of this Report and Carole seconded the motion. It was unanimously approved.

Tom Sullivan reported on the Grounds & Maintenance Committee. He pointed up the progress that has been made in gardening and cleaning up for spring. Painting of the docks will be restarted now that weather permits. The safety fences that extend into the water at both ends of Tideway will be replaced at the same time as the fence is installed at the end of Cola Ballena. Probably the end of April or the first week of May. The question of increasing the height of the fences around the bridge was discussed and the Board voted to rescind its previous decision to do this. Tom Sullivan moved that his report be accepted and Carole Hansen seconded the motion. It was unanimously approved.

Carole Hansen reported on City & Other Associations & Authorities activities. The meeting at City Hall to discuss the use of Ballena Island has been put over and she will continue monitoring the situation and report back to the Board. Carole moved that her report be accepted, John Sullivan seconded the motion and it was unanimously approved.

Ian reported that he has purchased chain to enclose the circle at the end of Tideway Drive and this will be accomplished shortly. Tideway Drive was duly monitored and roped off on March 27 to reestablish ownership as a private roadway and discussion is underway with the City to ascertain whether it is advisable to do the same with Cola Ballena.

The Board directed that Ian be charged with setting up a new Committee to review the CC&R's and will seek assistance from the Association members to attend meetings and provide input in further revisions. He was asked to temporarily Chair this Committee.

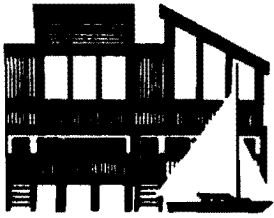
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Ballena Bay Townhouse Association
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There was no Old Business and no New Business to report. It was duly moved, seconded and approved that this meeting be adjourned at 9:50 p.m. to May 5, 1981 at 1233 Ballena Boulevard at 7:30 p.m.

Carole Hansen, Secretary

Approved:

Ian Roger, President



Ballena Bay Townhouse Association

MINUTES OF THE
MEETING OF THE BOARD OF DIRECTORS

May 5, 1981

P.O. Box 512 • Alameda, Ca. 94501

The meeting was called to order at 7:30 pm at the Hansen residence, 1233 Ballena Boulevard by Ian Roger, President, Ballena Bay Townhouse Association, who presided. Present were: Carole Hansen, Tom Sullivan, John & Marguerite Sullivan, Ken Main and homeowner Norm James.

Norm James demonstrated a low profile antenna of his design that he says is successful in Ballena Bay. He would like to test it on the worst possible reception area in the development. Ian requested that he meet with Jerry Rasco to work out the details and come back to Board with a report.

Ken Main moved that the Board approve the minutes of the meeting of April 5, 1981 as distributed and Tom Sullivan seconded the motion. It was unanimously approved.

Ian reported that the Oakey's have moved their solar system to a better position on their roof, painted it, complying with the request of the Board.

Although the required number of signatures, more than 75%, favoring the amendment to the CC&R's giving the Board under certain circumstances authority to waive the overhang of the head float, were obtained more than a month ago, the list is still being kept open in order that the whole membership will have the opportunity to endorse or refuse to endorse the instrument. So far only one homeowner has refused.

Correspondence was received and read from Sergio Gerin regarding payment for supplies purchased without Board authorization. Ian replied in writing that the expenditure will be paid but the Board will not pay anymore expenditures by any homeowner that has not been previously authorized.

Correspondence was received from Mr. William Godfrey, Insurance Broker, who enclosed a photocopy of the Ballena Bay Townhouse Association insurance policy. Renewal of insurance comes up in August. Ian will reply by accepting Mr. Godfrey's offer of submitting specifications prepared by Mr. Godfrey's office and will take them into consideration when seeking bids for Ballena Bay Townhouse Association insurance utilizing specifications that reflect the needs of the homeowners.

Correspondence was read with the Grant Deed attached that has been registered asserting ownership of Tideway Circle and it was reported that the property tax for this property has been paid.

John Sullivan gave the Treasurer's report. After discussion and comment that expenditures are running under budget because of careful management, John moved that his report be approved, Ken Main seconded the motion and it was unanimously approved. He then submitted the Audit Report that, by law, must be submitted within four months of the year end and is dated December 31, 1980 and submitted April 30, 1981. After discussion, Carole Hansen moved that the Audit Report be accepted, Ken Main seconded the motion and it was unanimously approved. Ian will deliver copies to all homeowners immediately.

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
BALLENA BAY TOWNHOUSE ASSOCIATION

May 5, 1981

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Tom Sullivan reported on the Grounds & Maintenance Committee activity. He reported that Tideway Circle is cleaned up and the chain fence installed. Preventive roof maintenance is continuing and gardening progressing with the shrubbery and flowers being allowed to grow. The sprinkler system is timed for economical usage. According to EBMUD the ground becomes over-saturated after 10 minutes of sprinkling and the water runs off into the gutters. This condition is corrected by proper timing. Tom Sullivan moved that his report be accepted and John Sullivan seconded the motion. It was unanimously approved.

Carole Hansen reported that she is monitoring the City Council regarding the Cable TV situation and the use of tidelands issue. She moved and John Sullivan seconded the acceptance of the report and it was unanimously approved.

Ian gave the President's report stating that the signs that Tideway Drive is private property are secured and Ken Main moved that the President of the Board be empowered to investigate the homeowners' erecting a barrier on 3rd Street. Tom Sullivan seconded the motion and it was unanimously approved.

Ian met with Dames and Moore to discuss the wave maze. The negotiations are going well and it is likely that some relief may be forthcoming from Dames and Moore for the homeowners.

There being no New Business and no Old Business, it was moved by Ken Main to adjourn the meeting. Tom Sullivan seconded the motion and it was unanimously approved at 9:11 pm.

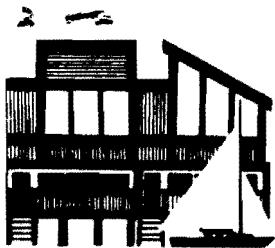
The next regular Board meeting of the Ballena Bay Townhouse Association will be held June 2 at the Ken Main residence at 463 Cola Ballena.

Submitted by:

SECRETARY

Approved:

PRESIDENT



Ballena Bay Townhouse Association

BOARD OF DIRECTORS MEETING

HELD JUNE 2, 1981

P.O. Box 512 • Alameda, Ca. 94501

The meeting was called to order at 7:35 p.m. at the Ken Main residence, 463 Cola Ballena Boulevard by Ian Roger, President, Ballena Bay Townhouse Association, who presided. Present were: Carole Hansen, Tom Sullivan, Ken Main and the recording secretary.

Homeowner's requests for improvements were approved as follows: Mr. James McGrew at 421 Cola Ballena requested to expand his deck walkway and access to dock. Plans were presented, approvals of adjacent neighbors were noted, discussion followed and Ken Main moved to approve the construction of the improvements as presented. Carole Hansen seconded the motion and it was unanimously approved. Then Mr. Don Brunette, 330 Tideway Drive requested to extend his family room to the garage, add a fireplace and extend his dining room to be flush with the living room wall. Plans were presented, approval of adjacent neighbors noted, discussion followed, and Ken Main moved to approve the construction of improvements as presented. Carole Hansen seconded the motion and it was unanimously approved.

The minutes of the meeting of May 5, 1981 were presented for approval and after discussion, Ken Main moved to dispense with the reading of the minutes of the meeting of May 5, 1981 and to approve them as distributed. Tom Sullivan seconded the motion and it was approved unanimously.

In reviewing the minutes of May 5, 1981 for matters arising from these minutes, Ian reported that he has received a letter from William Godfrey, Insurance Broker; he has met twice with Dames & Moore and requested Board approval that he be authorized to pay the sum of \$560.00 at such time as negotiations are completed. The Board unanimously approved this authorization.

Correspondence was read from Mrs. Betty Oakey who requested that the Board of Directors of Ballena Bay Townhouse Association accept her resignation as Board Member as of June 2, 1981. Ken Main moved that Mrs. Oakey's resignation be accepted, Tom Sullivan seconded the motion and it was unanimously approved and accepted. Ian requested that Carole Hansen, who had received the same number of votes as another Board Member at the Annual Meeting but who withdrew to break the tie and who has served as Secretary of the Board, be appointed a Director. Tom Sullivan seconded the motion and it was unanimously approved.

Ken Main proposed the following resolution: That this Board does approve of solar heating and wishes to clarify the matter as follows: So far no other owner has presented a solar project to the Board. When in the future anyone should, the Board is prepared to review it on an individual basis, but the owner(s) concerned must do their own research and present a completed package to the Board, including firm approvals from all concerned agencies, plans and examples showing the aesthetic impact and the time element necessary to complete the entire project. This resolution was seconded and carried unanimously.

Ian reported that he received a letter on May 29, 1981 from Mrs. Betty Oakey stating that there is no guest parking for boats available to her on her head float. After discussion, it was resolved that the Board's position is that the outside of the berths at either end of each head float are available for guest berthing and are designated as common property. This is the previous Board's position and at this time the Board will not vary this position except to counsel that common courtesy suggests that owners do not place a boat in a neighbor's berth without that neighbor's knowledge and that a simple request beforehand

BOARD OF DIRECTORS MEETING
BALLENA BAY TOWNHOUSE ASSOCIATION
June 2, 1981

will probably receive a favorable response. In no case should the privilege be extended for permanent berthing and should be used for guest berthing of a transitory or temporary nature.

A letter was received from Dr. Shiley at 400 Tideway Drive requesting action to be taken regarding unauthorized parking of recreational vehicles that belong in the apartment area and requesting that the fence be extended upwards to discourage trespassers around the channel. Ian reported that the extension of the fence was considered earlier in the year and discarded because it was unsightly and there is an ordinance preventing barbed wire from being placed across the top of the fence. Due to careful policing of the area there has been no problem for at least three months.

The Treasurer's report was presented in his absence by Ian Roger. Ken Main moved that the Treasurer's Report be approved with the commendation that the Board appreciates the fine job that has been done in this area. Carole Hansen seconded the motion and the Treasurer's report was unanimously approved.

Carole Hansen reported that the City Council has dropped the matter of changing the classification of the zoning in the Tidelands issue.

Grounds & Maintenance work is progressing nicely.

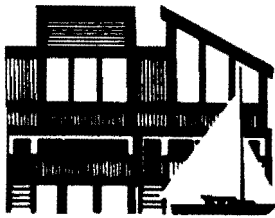
There was no old business and no new business at this time and Ken Main moved to adjourn the meeting at 9:30 p.m. Carole Hansen seconded the motion and it was unanimously approved.

Submitted:

SECRETARY

Approved:

PRESIDENT



Ballena Bay Townhouse Association

MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS - July 7, 1981

P.O. Box 512 • Alameda, Ca. 94501

The meeting was called to order at 7:40 p.m. at the Roger Residence by Ian Roger, President, Ballena Bay Townhouse Association, who presided. Present were Tom Sullivan, Ken Main, John & Marguerite Sullivan, Ian and Doctor Prehn a homeowner.

Ian presented plans to the Board that were submitted by Mr. Russell, 300 Tideway Drive, to improve his unit by extending the dining room wall, enclosing a courtyard and adding a second level room. After discussion, Ken Main moved that the Board empower the President to discuss these improvements with the adjacent owners/neighbors either personally or by telephone and if they register no disapproval, to approve the improvements to the Russell unit as presented. John Sullivan seconded the motion and it was unanimously approved. Also submitted were plans for a trellis to be installed over the interior court of the Maynard residence were also approved by the Board. This addition does not affect any other homeowner. The Board approved.

Ken Main moved to approve the minutes of the meeting of June 2, 1981 as distributed. John and Tom Sullivan seconded the motion and it was unanimously approved.

Ken Main offered to compile a small library of solar information for homeowners use and Ian thanked him for his follow up on accumulating information regarding solar heating and if he has anything of informational value the Board will share it with the homeowners when the minutes are again distributed.

The Treasurer gave his report and after discussion, Ken Main moved that the Treasurer be instructed to look into the matter of money market funds for short term higher interest rates on monies available for investing for the homeowners and that the Treasurer's report be approved as presented. Tom Sullivan seconded the motion and it was unanimously approved. John Sullivan stated that the checking and savings account have been combined into one account to take advantage of interest.

Tom Sullivan reported on the Grounds & Maintenance Committee progress during the month. A new landscape worker has been hired and is doing well. All the sprinkler systems have been checked out and are working efficiently. Two days per week will be dedicated to dock maintenance during the summer months. Please continue to bring any problems or discussions on landscaping and/or maintenance to either Tom or Ian for action. Ken Main moved to approve the report of the Grounds & Maintenance Committee Chairman, John Sullivan seconded the motion and it was unanimously approved.

Ian presented the President's report. He stated there was no correspondence to bring to the Board. He has spoken to the Police Chief regarding security and this has been improved for the area. Ian reported that the fence will be installed on Cola Ballena and the barrier will be placed on 3rd Street by the City during the month of July. Ken Main moved to approve the President's report as presented. John Sullivan seconded the motion and it was unanimously approved.

Under New Business, Ian presented the amended insurance bid proposal instruction. He will present the same instructions to Alameda Associates, State Farm, All-State, Mason-McDuffy and Marsh McClellan so all may bid for the homeowner's insurance that is due for renewal in August. Homeowners will be informed of exact coverage and terms. Tom Sullivan moved that the Board authorize, Ken Main, John Sullivan and Ian Roger to award the insurance

contract after looking at the bids. M. Sullivan seconded the motion, and it was unanimously approved.

Under Old Business, Ian reported that he met with Dames and Moore and Morgan Noble. The wave maze is sinking again because of silt deposits. Tom Sullivan will loan the Board a Briggs and Stratton device to suction out the silt and will proceed to correct this situation. Ian is hopeful that a conclusion will be reached in the settlement soon with Dames and Moore.

Ian reported that he will redraw a complete set of plot plans for the homes in the Association and this might make it easier for the homeowners to present requests for permits to City Hall.

There being no other business to be brought before the Board, Ken Main moved that the Board adjourn at 9:16 p.m. John Sullivan seconded the motion and it was unanimously approved.

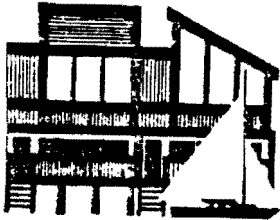
The next regular meeting of the Board will be held at the Tom Sullivan residence, 461 Cola Ballena Boulevard convening at 7:30 p.m. on August 4, 1981.

Submitted by:

Recording Secretary

Approved:

President



Ballena Bay Townhouse Association

MINUTES OF BOARD MEETING

P.O. Box 512 • Alameda, Ca. 94501

August 18, 1981

The meeting was called to order at 7:40 PM at the Sullivan residence by Ian Roger, President, Ballena Bay Townhouse Association, who presided. Present were Tom Sullivan, Ken Main, John Sullivan, Carole Hansen and two homeowners, Art Fischer and Bob Anderson.

Mr. Fischer presented the problem of an old floating painting platform, which is tied to a cleat on his dock finger. He believes it to be quite unsightly, as does Mr. Anderson. He also stated that when the tide is low, the float often gets underneath the headfloat, creating a good deal of noise. Ian offered that the only reason nothing has been done about it to date is that no one has complained prior to tonight. Ken Main moved that the President be empowered to remove the float. Tom Sullivan seconded the motion and it was approved. The President was empowered to meet with all the owners on the headfloat concerned to seek solutions to the problems.

Mr. Fischer and Mr. Anderson went on to discuss what they saw as a general deterioration of the condition of the docks, both from an Association maintenance standpoint and the apparent neglect of "housekeeping" by some of the homeowners. It was agreed that all homeowners should be conscious of the appearance of their docks, as everyone is affected by an unsightly view.

The question of docks being common property was raised by Mr. Fischer. Ian confirmed this; he also said the Townhouse Association "allocates" one berth per homeowner. No particular berth is actually owned by any one homeowner.

Ian brought up the matter of a letter from the Edwin Clanceys on Cola Ballena requesting approval for a change from a gas burning to wood burning fireplace. This has no effect on any other homeowner. Ken Main moved to approve the request. Tom Sullivan seconded and the motion was unanimously approved.

Ian then presented a request with plans from Mrs. DeMeuse on Cola Ballena, relative to security. Mrs. DeMeuse will erect a fence and gate. The Association will erect a chain link fence down into the water. She also requested approval for a solarium in her courtyard area. Ken Main moved the requests be granted. Tom Sullivan seconded and the motion carried.

Ken Main moved that the minutes of the previous meeting (July 7th) be approved. Tom Sullivan seconded and the minutes were approved.

Ian advised of a slight problem concerning Mr. Russell's remodeling plans, which were approved at the July 7th meeting. He should be hearing further in the near future.

Our insurance requirements were mailed out and bids were submitted by all bidders except Marsh McClellon. Alameda Associates was the low bidder at \$6,656. The contract has therefore been let to Alameda Associates. It was noted that this bid was substantially less than previous insurance bids. The Board has also solicited bids for earthquake insurance. The lowest bid was \$9,000 per year (quote by Alameda Associates). The Board felt that the cost would probably be unwise for the Association to bear, but individual homeowners can certainly contact their own insurance agents for individual coverage.

It was noted that this meeting was rescheduled from August 4th to August 18th because vacations made a quorum impossible to obtain. John Sullivan moved that the next meeting be held the first Tuesday in October, due to the Labor Day holiday. Ken Main seconded the motion and it was unanimously approved.

Ian brought up the matter of correspondence from Dr. John Vickery, which included a bill for ceiling repair. As no one can incur a debt on the account of the Ballena Bay Townhouse Association, Ken Main suggested that Ian notify Dr. Vickery that the Townhouse Association cannot pay this bill.

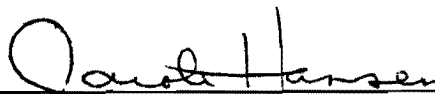
John Sullivan submitted the Treasurer's report. Several homeowners are late with their dues. It was agreed that names would not be printed in the minutes this time, but in the future this action might be taken. Carole Hansen moved the report be accepted. Ken Main seconded, and the report was accepted.

Tom Sullivan gave the Grounds and Maintenance report. All sprinkler systems are now checked and working well, including those which are not on the automatic systems. The homeowners that we have heard from have expressed satisfaction with the programs. The maintenance man has continued his work two days a week on non-landscape maintenance. Also, we have attempted to classify all our stocks of paint and inventory. The container has been shelved to facilitate this.

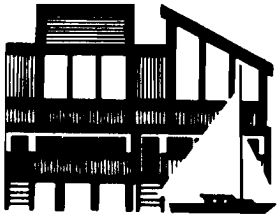
Tom Sullivan reported that he has been approached by a homeowner regarding the McGrew's gate, which has already been approved. The Board discussed the situation, and noted that there were several side gates, but to our knowledge no problems have arisen from them. The Board is naturally concerned about security, and feels as long as the gate is kept locked, which Mr. McGrew assures us will be the case, there is no reason to change our position.

Carole Hansen gave the City and Other Associations and Authorities report. There has been nothing on the City Council agenda directly relative to the Association. Nothing has been resolved yet on the cable TV franchise.

Ken Main moved the meeting be adjourned. John Sullivan seconded the motion. It was so adjourned at 10:00 PM. The next meeting will be held at the Hansen residence at 7:30PM on Tuesday, the 6th of October.


Carole Hansen, Secretary

Approved: _____
Ian Roger, President



Ballena Bay Townhouse Association

MINUTES OF THE MEETING
BOARD OF DIRECTORS
October 6, 1981

P.O. Box 512 • Alameda, Ca. 94501

The meeting was called to order at 7:45 p.m. at the Hansen residence, 1233 Ballena Boulevard by Ian Roger, President, Ballena Bay Townhouse Assoc., who presided. Present were: Carole Hansen, John Sullivan and Ian Roger. Tom Sullivan was delayed and arrived later.

Homeowner's requests for improvements were approved as follows: Mr. T. Geary at 416 Tideway Drive submitted plans to extend his dining room and deck. Carol Hansen moved and John Sullivan seconded that the request by Mr. Geary be granted. It was approved unanimously. Mr. A. Hall, 413 Cola Ballena, requested to rearrange his kitchen area. The Board was polled and did approve the changes to the Hall residence.

Mrs. Sherman, 306 Tideway Drive, spoke to Ian regarding Home Box Office service which includes erecting an antenna system. Carole moved and John Sullivan seconded that the Board empower Ian talk with HBO and get back to the Board with full details. This action was unanimously approved.

Carole moved that the previous minutes as distributed be approved. John Sullivan seconded the motion and it was unanimously approved.

Discussion ensued regarding the Hayes, Fisher and James docks and the aesthetic improvements to be implemented and the other homeowners concerned have cooperated.

Ian met with the Planning Board and reported that Mr. Russell's plans have been approved and he is proceeding.

Carole reported that no correspondence has been received at this date.

Ian requested that the Treasurer, John Sullivan, present his report. Quarterly reports were shared and reflecting careful management, the Association's financial improvements were noted. Carole moved and John seconded the acceptance of the Treasurer's report and it was unanimously approved.

Ian presented Tom Sullivan's Maintenance and Landscaping Committee report. The improvements on landscaping are continuing gradually but definitely. Unfortunately David was sick last week but we hope to catch up during the next few weeks. Ballena Boulevard is in good condition. Tideway east is in good condition. Tideway west is improving but some way to go. Cola Ballena has had a lot of heavy clean-up and clean-out work. This is continuing. It will be done systematically and thoroughly. Spraying for various pests is underway on a proper schedule. Fertilizer is also being applied regularly. Any requests or complaints should be addressed to Tom Sullivan or Ian Roger not to the employee. Work on the docks is progressing slowly. Two sets of ramps have been repainted in the past week and more are being scheduled. John moved to accept Tom's report. Carole seconded the motion and it was unanimously approved.

Carole reported on City and other Associations. Nothing at this point has been resolved. She will continue to observe and report any progress.

BALLENA BAY TOWNHOUSE ASSOCIATION
MINUTES OF THE MEETING
BOARD OF DIRECTORS
October 6, 1981
Page Two

Carole moved that her report be approved. John Sullivan seconded the motion and it was unanimously approved.

Ian presented the President's report which included the information that a gate will be erected and manned across the circle on Tideway west that will be opened in the morning and secured closed at nightfall to discourage the night-time use of the circle. Mr. Christie has agreed to be gatekeeper. This will improve the security situation and keep vehicles out of this area at night. Ian moved that his President's Report be approved. Carole seconded the motion and it was unanimously approved.

The General Meeting of the Ballena Bay Townhouse Association is scheduled to be held November 19, 1981 at the Ballena Bay Yacht Club. Notices will be circulated at a later date.

Ian moved that the next regular meeting of the Board of Directors be November 3, 1981 at 7:30 p.m. The place for the meeting will be confirmed at a later date. Carole seconded the motion and it was unanimously approved.

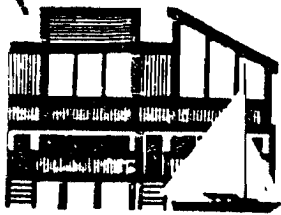
There being no further business, a motion to adjourn was entertained, seconded and unanimously approved. Adjournment at 8:42 p.m.

Submitted by:

Carole Hansen, Secretary

Approved:

Ian Roger, President



Ballena Bay Townhouse Association

P.O. Box 512 • Alameda, Ca. 94501

MINUTES OF MEETING
BOARD OF DIRECTORS
NOVEMBER 3, 1981

The meeting was called to order at 8:20 PM at the John Sullivan residence, 332 Tideway Dr., by Ian Roger, President, Ballena Bay Townhouse Association, who presided. Present were: Carole Hansen, John Sullivan, Tom Sullivan, and Ian Roger.

Homeowners' business:

Mr. William Maynard, 350 Tideway, has submitted a request to erect a flagpole in the center of his waterfront deck. The flagpole would be a permanent structure, 14 feet, 6 inches high, along the same lines as the flagpole structure located in the circle at the end of Ballena Blvd. It would be used to display the American flag as well as other nautical-oriented flags. The Board, after much discussion, agreed that a flagpole configuration of this nature would not be approved.

Ian reported that he has received several complaints from homeowners regarding the anemometer atop the Maynard residence. The complaints centered on both the size and color of the device (a shiny silver). The Board gave approval for Ian to ask Mr. Maynard to paint it flat black, which would make it less obtrusive.

Dr. Vickery, on Ballena Blvd., has installed a quite powerful light on his waterfront deck. The Board was unaware of the installation until the project was complete and functioning, causing much consternation among nearby homeowners. The Board would like to see it painted or modified in some way so as to cut down on the intensity of the light, both direct and water-reflected. Also, duration of use of the light should be kept to a minimum.

Tom Sullivan received a request from the Partridges to install a greenhouse-type window. The Board gave a tentative approval subject to review of the plans.

Mr. and Mrs. Joe Oakey have installed a wood-burning stove with a chimney extended through the roof of their dwelling. No plans were submitted to the Board prior to the installation, thereby circumventing the review required by the Board. The chimney installation creates a roofing variance, and the Association will assume no liability until a certificate is received from the roofing company assuring there will be no problem with leakage.

Marlene Voet of 324 Tideway has requested approval to change from a gas-burning fireplace to a wood-burning fireplace, with the necessary chimney modifications. Her correspondence included the approving signatures of her neighbors, as required. John Sullivan moved approval be given, and Tom Sullivan seconded the motion. The motion carried.

A motion was made and passed that while the Board has dealt with several construction variances after the fact, it is not prepared to continue in this fashion. Correct procedure calls for a homeowner to submit plans for review and approval before any work commences. The Board will not approve

anything in the future that it has not been given the opportunity to review prior to start of construction.

Carole Hansen moved that the minutes of the previous meeting be approved. John seconded the motion and it was unanimously approved.

There were no matters arising from the previous minutes.

The Treasurer's Report was given by John Sullivan, Treasurer. There are still some homeowners in arrears on their quarterly Association dues. There is a 30 day grace period; after that period is up penalties are levied. Our accounts are in very good shape, with over \$7,000.00 cash on hand. There was some discussion regarding possible investment in the money market. Carole moved the Treasurer's Report be accepted. Tom seconded and the motion carried.

Tom Sullivan gave the Grounds and Maintenance Report. We will be spraying weed killer on lawns and operating a thatching machine; the bald areas that will appear after the weed killer has taken affect will be reseeded. The lawns involved will be allowed to grow higher than normal to ensure a healthy lawn.

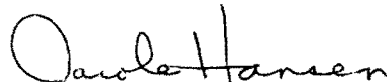
Carole Hansen gave the Cities and Other Associations Report. The City of Alameda is attempting to put Section 8 housing between Washington Park and the Park Webster complex. Section 8 housing is low income housing. 40 units are proposed; rents to be subsidized by the City. Ballena Bay Townhouse Association has been approached by 3 other homeowners' associations to join a united effort expressing extreme disapproval of the project. John moved that Ian be empowered to work with the other associations to attempt to block the housing project. Tom seconded the motion and it was unanimously approved.

Ian Roger gave the President's Report. The gate for the Tideway circle has not yet arrived. Jim Forni has devised a steel foot for the posts.

The General Meeting of the Ballena Bay Townhouse Association will be held November 19, 1981 at the Ballena Bay Yacht Club. The meeting will begin at 7:30 PM, and election of next year's Board is on the agenda. Tom Albin has agreed to head a committee of two acting as "validation officers" to certify the existence of a quorum, verify proxys, etc. Ian moved his report be approved. Tom seconded and the motion carried.

There being no further business, a motion to adjourn was entertained, seconded and unanimously approved. Adjournment was at 10:50 PM.

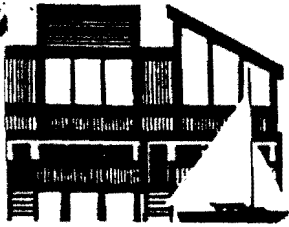
Submitted by:



Carole Hansen, Secretary

Approved:

Ian Roger, President



Ballena Bay Townhouse Association

Minutes of Meeting
Board of Directors
December 8, 1981

P.O. Box 512 • Alameda, Ca. 94501

The meeting was called to order at 7:50 PM at the Roger residence, 340 Tideway Dr., by Ian Roger, President, who presided. Present were John Sullivan, Tom Sullivan and Ian Roger.

Homeowner's Business

Dr. R. T. Prehn submitted a request for certain changes to his residence: 1.) roofing over between his garage and house 2.) area under roof to be cemented 3.) a wall enclosing this area to be installed at a future date 4.) to install six small skylights 14 X 14 in garage roof 5.) to install skylights over bath and closet 6.) to replace present Heatilator gas log with Heatilator gas & wood burning fireplace. His requests were approved with the exception of #3 since the Board would not commit a future Board.

A letter was received from Joe and Betty Oakey explaining their action in installing a wood burning stove without Board approval. Also a copy of a letter from Tom and Joan Albin to Joe and Betty Oakey complaining of obnoxious smokestack odors from this same stove. The Board deferred action until Mr. & Mrs. Oakey have had time to correct the problem.

A request was received from Mr. and Mrs. D. S. McHugh seeking permission to install a TV antenna underneath the entrance hallway below their house, such installation not to be lower than the concrete cantilevers. The Board tentatively approved this subject to inspection.

Mr. Maynard submitted an amended plan for a flagpole of 12 foot height. This plan was rejected by the Board.

Approval of Previous Minutes

The minutes of the previous meeting were approved as circulated.

Matters Arising from the Minutes

It was reported that Mr. Maynard has painted his anemometer as requested.

Dr. Vickery has agreed to modify his dock light as requested.

Treasurer's Report

John Sullivan gave the Treasurer's Report and recommended that the Board discontinue the matter of garbage collection, since some residences have ~~one~~ container, some more and also some homeowners could qualify for lower rates. It was suggested that if this action were taken it might be possible to lower the dues to \$60.00 per month. The Board decided to table this suggestion to allow for feedback from the membership. The Treasurer moved that his report be accepted, and by unanimous consent it was accepted.

Grounds and Maintenance Report

Tom Sullivan gave the Grounds and Maintenance Report, which was accepted.

City & Other Associations Report

Ian reported that he had attended a Planning Board meeting at which a negative declaration relative to the proposed low income housing had been approved which obviates the need for an environmental impact report. Some elements were appealing this action to City Council, but Ian suggested that this Association, together with Porta Ballena, Cola Ballena and Park Webster could not join this appeal since we did not disapprove the development of the property, but merely the "ghettoization" possibility, therefore such an appeal was and would appear to be a device. The Board approved Ian's actions in this matter.

It was noted that at the Annual Meeting held on November 19th that the incumbent directors had been reelected. It was moved seconded and carried that the existing officers who had agreed to serve were therefore confirmed in these offices:

- Ian Roger.....President
- Ken Main.....Vice President
- John Sullivan.....Treasurer
- Carole Hansen.....Secretary

Tom Sullivan agreed to continue to serve as Chairman of Landscaping & Maintenance.

There being no further business a motion to adjourn was moved, seconded and approved at 11:00 PM.

Ian Roger, President