

Ballena Bay Townhouse Association

Minutes of Meeting
Board of Directors
January 13, 1986

P.O. Box 512 • Alameda, Ca. 94501

The meeting, held at the residence of Ian Roger, was called to order at 7:35PM by Ian Roger, President. Present were: Don McHugh, Elwood Hopkins, Bob Partridge, Dick Aronoff and Ian Roger.

Under **HOMEOWNERS' BUSINESS** the application by Held to fill in his upper deck in the same manner as both Gutleben and Aronoff had previously done was discussed and approved. Ian reported that he wrote the letter confirming the previously approved request for the developer of the 11 new townhouses to modify his dock plan due to the city's requirement for water & electricity on the head float.

The **MINUTES** of the previous meeting were approved as submitted.

Under **MATTERS ARISING FROM THE MINUTES**, on the subject of roof leaks pending was discussed and the 2 leaks noted in the November minutes (Hayes residence & Grcevich garage) had been repaired when they were reported.

CORRESPONDENCE was received from an attorney representing John Buono. The letter arrived by ordinary mail on December 23, 1985. The letter stated that he had roof leaks and that the lowest estimate he had received for repairs was from Central Bay Roofing, our roofer. Furthermore, if the Association had not started repairs of his roof by the 23rd of December, he would individually contract to have the repairs done with Central Bay Roofing. The letter was reviewed by Bill Foley, the Association's attorney. After making notes about the actions leading up to this letter, he advised the Board to take no action at this time and to let him know if there were further developments. Ian also reported that his last conversation with John Buono had been at the beginning of December, whereupon John Buono stated "His roof was not leaking and that he would let us know" if he wanted to be included with the rest of the roofing on Ballena Boulevard. Our roofer, who told Ian that John Buono had discussed having his roof recovered identical to his neighbors' and had signed a contract for this recovering on the morning of the 23rd, examined the ceiling of the Buono home for water leak marks and only found 1 stain that appeared to be old.

The current status of communications with Marcia Gerin was discussed as Ian represented the Association in Small Claims' Court on the 4th of December. The case was heard by a commissioner who ruled that all roof leaks must be caused by negligence. As this left the Association without an opportunity for

defense, a subsequent court date was set for February 4, 1986. This matter stems from incidents dating back to 6/6/84 where at 8:00 a note was delivered to Ian informing him of a roof leak, whereupon he caused Atlas Roofing to contact Marcia Gerin at 9:00, and subsequently meet with her at 12:00 to repair the leak in her garage roof. Weeks later a check from our insurance company arrived for an amount just under \$300. As we had made no claim, after investigation with Bill Godfrey, our insurance agent, it was discovered that Marcia Gerin had made the claim for damage to the interior of her garage and had represented that she had the Association's authorization to make such claim. Further investigation disclosed that the Association is not liable for rain caused interior damage and that, in fact, we had no insurance policy that applied. In the interest of maintaining our integrity with the insurance company, we returned the check with our apologies to the insurance company.

An attorney representing the Gallups phoned to ask for a contribution to the more than \$18,000 of repairs made to their home. He felt that most of these repairs were either directly or indirectly caused by water damage from leaks in the roof. Ian responded that the Association was aware of the repairs being made and felt that certainly a large part of the water damage was caused by water from the shower that seeped under the bathroom tile. Additionally, he had no evidence that the Association was in anyway responsible for any of the damage.

The **TREASURER'S REPORT**, was distributed by Don McHugh. The balance sheet, operating statement, and the bank reconciliation dated December 31, 1985, was discussed and then accepted. The balance sheet showed a net loss for 1985 to be \$246.89 as of this statement. Recommended changes in reporting were individually discussed, and the president promised to follow up on each. Some questions stemmed from the estimated \$10,000 and the actual \$582.05 in accounts receivable from the Harbor for common maintenance and utilities for the street lights on Cola Ballena. Suggestions for handling advance payments by homeowners intended for the roofer were also discussed.

Ian Roger presented the **GROUNDS & MAINTENANCE REPORT**. On the subject of dock maintenance: the head man for Bellingham Company, the company that repaired our docks for the insurance company 2 years ago, casually walked our docks and congratulated us as the best maintained docks that he had seen.

On the subject of deck waterproofing: at this time all decks have been treated with Thomson's Water Seal.

On the subject of painting: There are 2 men currently working on painting. It has been recommended that we use a special primer before painting the new roof flashings on Ballena Boulevard.

On the Subject of roofing: There are no roof leaks at this time. During the last rain there was a roof leak in the Oakey's garage which has been dealt with. The suggestion of roof sumps was discussed and recommended for each homeowner. The cost would be minimal, around \$30 per roof, but each homeowner

has to contract with the Association for their own due to ownership of the roof.

On the subject of grounds landscaping: We are getting more benefit from the mulch. The pine trees on Ballena Boulevard were trimmed. No problem areas are known.

The following points were also discussed and added to the report presented: Bob Partridge requested more notice before the decks were waterproofed. Ian replied that if Bob had made his problem known, the workman could have returned to finish waterproofing later.

There are docks that have pilings that are not attached by hoops. Fritz Mason is making the hoops, but has lost the plans. Ian promised to get him another plan.

Bob Partridge promised to bring a detailed list of bare spots in the grounds that he feels should be replanted.

The Board voted to accept the Grounds & Maintenance Report.

Under **CITY & OTHER ASSOCIATIONS AND AUTHORITIES**, the President reported that the Harbor has requested use of our mailing list for a newsletter. It was agreed to provide them with an address list without phone numbers.

The **PRESIDENT'S REPORT**. Ian reported that the earth dumped along the west side of Ballena Boulevard by the Harbor was going to be used farther out on the peninsula to repair erosion damage. Bobby Jumamoy, an employee of the Association, has moved on to a job as a civil engineer and has been replaced by his brother, Virgilio, himself a civil engineer and an employee of the Association for the past 2 years, and a nephew, Jiji. Ian also reported on the availability of more dinghy floats. These used to store things people now leave on their docks will decrease the wear on our docks. The Association received 2 free pilings from the developer of the new townhouses. The new pilings were installed for the docks by the Gallup's, Descombes' and McGrew's. One more piling is desired in that area. Ian has found one, but has to get it brought over from the estuary. It was agreed that since there was no cost to the Association for these pilings, there would be no costs to pass on the respective homeowners.

Under **NEW BUSINESS**, there was a discussion of "open Board meetings". Bob Partridge suggested that if we stated this Board's policy about meetings, that everyone would be happier. To that end it was stated that **all homeowners who had business before the Board would be welcome to present their business. That Board meetings are not held on a regular date, but that a meeting of the Board would be called whenever there was business, in general monthly, but never longer than bimonthly, and that any homeowner could let any Board member know of their desire to be placed on the agenda, and they would then be advised as soon as a Board meeting was scheduled.**

Bob Partridge requested copies of the insurance policies held by the Association. Ian indicated that they were available at Bob's request. Bob said he would review them at his leisure and would report on them at the next Board meeting.

Under **OLD BUSINESS** it was reported that there were matters pending from the November Annual Meeting. First, the audit that was mandated by the membership is due to the accountant, Joe West, by the end of February, and Ian stated that he foresaw no problems in meeting that date. The cost for this audit, and the cost for last year's statements (distributed at the Annual Meeting) was discussed, and will be further negotiated.

Second, a committee to revise the C.C. & R.'s with respect to roof maintenance has met once, has another meeting scheduled the third week of January. The plan is to survey, in writing, the entire membership, after presenting them with all alternatives imaginable, and then to collate that survey for Board action.

Third, the minutes of the 1985 Annual Meeting, should be reviewed by a committee of the Board while the meeting is still fresh in our minds. The accuracy of the minutes, of course, reflects on the Board.

Fourth, it was moved and seconded that the following slate of officers of the Association be elected for 1986:

Ian Roger, President
Bob Partridge, Vice President
Don McHugh, Treasurer
Dick Aronoff, Secretary
Elwood Hopkins, Member

STANDING COMMITTEES & ASSOCIATION MEMBER CHAIRING THE COMMITTEE:

Grounds & Maintenance Committee: Elwood Hopkins, Chair
Budget and Finance Committee: Don McHugh, Chair
City, Other Associations & Authorities: Ian Roger, Chair
Safety & Security: John Conner, Chair
Architectural Review Committee: A committee of the whole.
Docking & Mooring: Bob Partridge, Chair


The next meeting of the Board will be scheduled at the call of the chair.

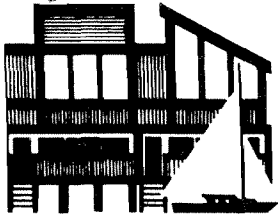
There being no further business the meeting was adjourned at 10:00PM.

Submitted by:


Dick Aronoff, Secretary

Approved by:


Ian Roger, President



Ballena Bay Townhouse Association

Minutes of Meeting
Board of Directors
February 26, 1986

P.O. Box 512 • Alameda, Ca. 94501

The meeting, held at the residence of Ian Roger, was called to order at 8:30PM by Ian Roger, President. Present were: Don McHugh, Elwood Hopkins, Dick Aronoff and Ian Roger.

Under **HOMEOWNERS' BUSINESS**, no applications for any residence modifications were received by the Board. It was noted that two homeowners have attached things to the exterior of their residences without requesting the Board's approval. As both homeowners had been contacted about the need for Board approval, it was moved and approved that letters be sent to both parties requesting the removal of all unapproved changes.

The **MINUTES** of the previous meeting were approved as submitted.

Under **MATTERS ARISING FROM THE MINUTES**, on the subject of John Buono's letter, there has been no further communications. On the subject of the Gerin law suit, a mutually agreeable settlement has been reached and the case was dismissed. On the topic of repairs to the Gallup home, there has been no further communications from the Gallups or their attorney. The review of the Association's insurance policies by Bob Partridge was tabled until the next meeting.

CORRESPONDENCE was received from Betty Oakey on the topic of Board meetings and distribution of the minutes. It was decided to reiterate that attendance at Board meetings was open to anyone with business for the Board, and that the time and place of the meetings would be made known to all that expressed their intention to present business to the Board. Additionally, the minutes of the Board meetings would be distributed within ten days of their being approved.

Shep Gallup requested a letter be written by the Board to thank a neighbor (not a member of the Association) who had helped with gardening. After a brief discussion, the Board decided to take no action.

On the subject of the so styled "Neighborhood Notes", two issues of which have been distributed to the homeowners. The Board wants to correct those who mistakenly thought that they were a publication of this Board. They are not. The Board does wish to add, however, that the C C & R's distributed were only current to 1960, not 1980. Additionally, the Board apologized to those members of the Association who were offended by references in these publications to the election at the Annual Meeting. The Board felt that once

most homeowners realized the source of these opinions, the Board would not be treated as if they were indeed fact.

The **TREASURER'S REPORT**, was distributed by Don McHugh. The balance sheets, operating statements, and the bank reconciliation dated both January 31, 1986, and February 28, 1986, (current only through the 26th) were discussed and then accepted. The Board verified that the accounts had remained in balance through the year end closing and that the \$246.89 operating loss from 1985 had been made up from the "Maintenance Reserve". The balance sheet showed a gain for January to be \$1,007.25 and \$2,066.58 for February. These gains are in addition to a monthly contribution to the "Maintenance Reserve" of \$866.67. The "Maintenance Reserve" balance was \$115,562.20 as of February 26, 1986. As of February 1, 1986, there were 3 homeowners who were delinquent in their dues. Penalties of 10% were assessed in accordance with the C C & R's, but they were still unpaid. (The Board discussed the possibility of warning delinquent homeowners before listing their names in the minutes). The dues are delinquent if not paid within the first 30 days of the quarter. The treasurer's report was accepted as presented.

Ian Roger presented the **GROUNDS & MAINTENANCE REPORT**. On the subject of dock maintenance: we have supplied a drawings to the hoop maker. We have also agreed to supply 3 hoops to the developer for pilings he is installing for us. There is still 1 additional piling to be driven. The recent storms have broken a dock at the south end of Cola Ballena. It was repaired once, and then the storms got it again. We are trying to get hold of a small suction dredge. Repairs are proceeding. Routine maintenance is also being affected at the Krantzman/Thruston dock and we are pursuing the possibility of an improvement to the Gerin dock.

On the subject of painting: everything is proceeding normally.

On the Subject of roofing: There are no roof leaks at this time. During the last rain there were roof leaks at Tonningsen's and McGrew's. Both were repaired immediately and have been tested by subsequent rain. Additionally, a leak developed in Ian's house. Minor leaks were also repaired at Langbein's and Bargiacchi's. Experiments are proceeding on the garage roof sumps on Ballena Boulevard. Pending successful results, repairs will be affected on Conners', Wild's, and Hopkins' garage roofs.

On the subject of grounds landscaping: due to the weather, we delayed painting and attacked the landscaping. One of the homeowners had commented that commercial landscapers would not have worked at all in such weather. Neither Bob Partridge, nor anyone else has presented list of bare spots in the grounds that should be replanted. Nonetheless, we are continuing a program of replanting. Joan Albin made a request concerning a tree, and Ian volunteered to discuss it with her. No problem areas are known.

The Board voted to accept the Grounds & Maintenance Report.

Under CITY & OTHER ASSOCIATIONS AND AUTHORITIES, the President reported that there was no activity to be discussed.

The PRESIDENTS REPORT. Ian reported that he would be producing notes to the homeowners.

Under OLD BUSINESS it was reported that there were matters pending from the November Annual Meeting.

The committee to revise the C.C.& R.'s with respect to roof maintenance has continued to meet. The scope of the task before the committee has expanded to include a review of our current financial obligations to the "Common Area". This is an important step because this will both be a model of the reserves necessary for replacing roofs, siding, decks, etc. and a test of whether the existing "Common Area" reserves could be shared. A preliminary draft of the review was distributed and discussed in detail. Dick Aronoff offered his apologies for the delay in this project. The Board congratulated him on his thorough work.

With respect to the audit, since the accounting information was needed to prepare the federal and state tax returns for 1985, this had delayed the collection of information for the audit. However, the President saw no reason that would delay the delivery of all accounting information to the auditor by March 1st, Friday.


The minutes of the 1985 Annual Meeting were submitted by Elwood Hopkins, presiding secretary, and referred to a committee of the Board for review.

There was no NEW BUSINESS presented.

The next meeting of the Board will be scheduled at the call of the chair.

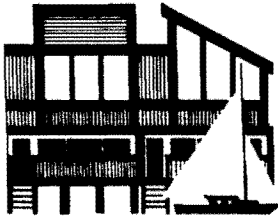
There being no further business the meeting was adjourned at 10:34PM.

Submitted by:


Dick Aronoff, Secretary

Approved by:


Ian Roger, President



Ballena Bay Townhouse Association

Minutes of Meeting
Board of Directors
April 24, 1986

P.O. Box 512 • Alameda, Ca. 94501

The meeting, held at the residence of Ian Roger, was called to order at 7:42PM by Ian Roger, President. Present were: Don McHugh, Bob Partridge, Elwood Hopkins, Dick Aronoff and Ian Roger.

Under **HOMEOWNERS' BUSINESS**, applications for residence modifications were received by the Board. Joe and Betty Oakey of 352 Tideway requested and received permission for their antenna/wind indicator to be allowed to remain until they move. Donald Shiley requested permission to replace the fireplaces, add a skylight, and modify the decks of both his townhouses, 320 & 400 Tideway. Although these modifications were similar to other improvements already approved by the Board, in this case the Board tabled any discussion until it could be assured that all neighbors of these townhouses had been notified. Philip Braverman of 405 Cola Ballena requested a dinghy dock and was promised the next one available. Mr. Loh of 342 Tideway reported that the plans that had been previously been approved for modifications to his townhouse have been revised, and when the new plans are finalized, he will again present them to the Board.

The **MINUTES** of the previous meeting were approved as submitted.

Under **MATTERS ARISING FROM THE MINUTES**, John Buono & Charles Gallup have joined together in filing suit against the Association with respect to past roofing disputes. As it had been only 10 days since the Association was served and the entire matter had been referred to the Association's attorney and the Association's insurance company, there was no action for the Board to take. The Board requested that our attorney, Bill Foley, prepare a report on everything that has transpired along with the current status of this suit. Bob Partridge emphasized a need to review the Association's insurance policies, and promised to have someone from his office look into the matter. Discussion of the Association's insurance policies was again tabled until the next meeting.

CORRESPONDENCE sent by the Secretary to both the Oakey family and the Gallup family was reviewed by the Board. The Oakey reply indicating compliance was read, and the letter was scheduled to be discussed further under "Maintenance". The Gallup reply was also read, and as their letter indicated that the problem was removed, no further action was necessary. The Board also discussed that the source of both of these problems was that the

homeowners had neglected to ask for prior Board approval, not that their alterations could never be approved. A letter dated March 26, 1986 from Marcia Gerin was also discussed.

The mostly illegible "Neighborhood Notes" was reviewed. Each and every point was discussed. The "notes" were inaccurate and irritating. Ian promised to address this subject in his forthcoming "Notes to Homeowners".

The **TREASURER'S REPORT**, was distributed by Don McHugh. The balance sheets, operating statements, and the bank reconciliation dated both February 28, 1986, and March 31, 1986, were discussed and then accepted. As of March 31, 1986, there were 2 homeowners who were delinquent in their dues; 1 has since been brought current, and the remaining homeowner has not replied to our efforts to contact him. Penalties will continue to build in accordance with the C C & R's. As of March 31, 1986, the TOTAL CASH was \$116,662.43 and the MAINTENANCE PROVISION was \$116,428.87. The treasurer's report was accepted as presented.

Ian Roger presented the **GROUNDS & MAINTENANCE REPORT**. On the subject of dock maintenance: we have supplied a second set of drawings to the hoop maker and both the hoop maker and his assistant have personally guaranteed speedy delivery. There is still 1 additional piling to be driven for the Descombes' dock. The Hickman/De Meuse headfloat is still broken and needs to have the sand bar dredged from under it before it can be permanently repaired. We are pursuing 2 leads on a small suction dredges. Routine dock maintenance is proceeding smoothly.

On the subject of Betty Oakey's door: originally there was some confusion as to which door needed work. It was then discovered that the door in question was the side door to her garage. This door is an interior quality door that the original builder used on the exterior. Replacement of this kind of structural deficiency is beyond the requirements placed on the Association by the C.C. & R.'s. As a concession to the Oakeys, we first agreed to hang and paint a new door for them if they would purchase it, and then agreed to purchase the door for them and have them reimburse us.

On the subject of painting: everything is proceeding normally.

On the Subject of roofing: There are no roof leaks at this time and record for the past year indicates that our roofing program has had excellent results.

On the subject of grounds landscaping: Ian reported that recent work has brought up the condition of our grounds to new levels of excellence. Bob Partridge added that at his house this was due in part to his son's professional landscaping that he subsidized. No problem areas were reported.

The Board voted to accept the Grounds & Maintenance Report.

Under **CITY & OTHER ASSOCIATIONS AND AUTHORITIES**, the President reported

that there was no activity to be discussed.

The **PRESIDENTS REPORT.** Ian reported that he would be producing notes to the homeowners.

Under **OLD BUSINESS** it was reported that there were matters pending from the November Annual Meeting.

With respect to the audit, the President reported that, as promised, all accounting information had been delivered to the auditor by February 28, 1986.

The committee to revise the C.C.& R.'s with respect to roof maintenance reported on a lack of significant progress. Dick Aronoff offered his apologies for the delay in this project.

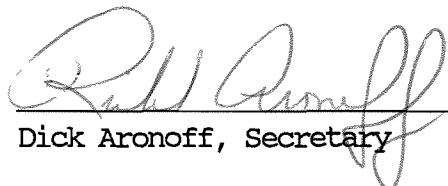
Additionally, the subject of the Harbor's support of the utilities and maintenance of Cola Ballena was discussed. There reluctance to pay has softened since we produced copies of recorded documents setting forth the agreement for sharing the costs and since we threatened to cancel their easement allowing them use of Cola Ballena. Further efforts will be necessary to collect this debt.

Under **NEW BUSINESS**, Bob Partridge reported on the Neighborhood Watch program. There was a requirement for a map of the are that showed the location of all existing structures. Ian responded that he did not have one, but if he could find one he would be happy to make it available. It was recalled that in locating the cable television equipment, the cable company used a map that would meet our requirements. Bob agreed to contact Don Anderson.

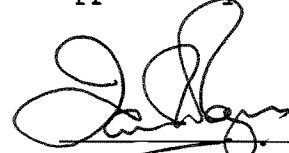
The next meeting of the Board will be scheduled at the call of the chair.

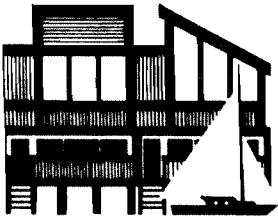
There being no further business the meeting was adjourned at 10:34PM.

Submitted by:


Dick Aronoff, Secretary

Approved by:


Ian Roger, President



Ballena Bay Townhouse Association

Minutes of Meeting
Board of Directors
June 29, 1986

P.O. Box 512 • Alameda, Ca. 94501

The meeting, held at the residence of Ian Roger, was called to order at 5:12PM by Ian Roger, President. Present were: Don McHugh, Bob Partridge, Dick Aronoff and Ian Roger.

Under **HOMEOWNERS' BUSINESS**, applications for residence modifications were received by the Board. The architect representing Mr. Loh requested that approval of the revised plans for modifications to 342 Tideway townhouse be tabled until a later meeting. Donald Shiley still could not assure the Board that all of his neighbors had been notified of his plans to modify the decks and fireplaces of 320 & 400 Tideway. Sherwood Marshall of 463 Cola Ballena has withdrawn his request for any approvals. Ian Roger of 340 Tideway has also postponed submitting plans for approval until Mr. Loh has made his plans known. John Conner of 1201 Ballena Boulevard was present and request belated approval for planters and statuary that he had already installed around his home. He also acknowledged his infringement of the common area. After much discussion the Board disapproved his request, and the Board directed the Secretary to send a letter to Mr. Conner outlining instructions for the removal of the statuary. On the subject of "NEIGHBORHOOD WATCH SIGNS", the Board approved the installation of the 6x6 signs at each homeowner's discretion notwithstanding the C.C. & R's, Article 11, section 1, paragraph E; and additionally, the Board is going to pursue mounting larger signs in appropriate places.

The **MINUTES** of the previous meeting were approved as submitted.

There was no discussion under **MATTERS ARISING FROM THE MINUTES**.

There was no **CORRESPONDENCE** sent or received by the Board.

The **TREASURER'S REPORT**, was distributed by Don McHugh. The balance sheets, operating statements, and the bank reconciliation dated both April 30, 1986, and May 31, 1986, were discussed and then accepted. As of May 31, 1986, there was 1 homeowner who was delinquent in his dues and 2 additional homeowners that still owed a penalty of \$28.50 for paying late. The delinquent homeowner has not replied to our efforts to contact him. Penalties will continue to build in accordance with the C C & R's. As of May 31, 1986, the **TOTAL CASH** was \$127,419.38 and the **MAINTENANCE PROVISION** was \$118,162.21. The treasurer's report was accepted as presented.

Ian Roger presented the **GROUNDS & MAINTENANCE REPORT**. On the subject of dock maintenance: the dock hoops are now all in place. There is still 1 additional piling to be driven for the Descombes' dock. The Hickman/De Meuse headfloat is now repaired. At this time, only the Partridge and Tonningsen headfloats are still in need of repairs. Routine dock maintenance is proceeding smoothly. The vertical posts of the ramps are in need of replacing and we are getting quotes on the particular shape of board needed. Some of the older homes need the steps between their decks and landings reconstructed. They will be scheduled as we are made aware of them.

On the subject of the Oakey door: the Oakey door having been replaced at their expense, has been painted.

On the subject of painting: everything is proceeding normally.

On the Subject of roofing: There are no roof leaks at this time and record for the past year indicates that our roofing program has had excellent results. The garage roof sump experiment has been declared a success and those homeowners who need one installed can make arrangements with Ian. There is a nominal charge for the materials.

On the subject of grounds landscaping: Ian reported that the condition of our grounds excellent. The automatic sprinkling system has been reworked in a couple of lawns. No problem areas were reported.

The Board voted to accept the Grounds & Maintenance Report.

Under **CITY & OTHER ASSOCIATIONS AND AUTHORITIES**, the President reported that there was no activity to be discussed.

The **PRESIDENTS REPORT**. Ian reported that he would be producing notes to the homeowners.

Under **OLD BUSINESS** it was reported that there were matters pending from the November Annual Meeting.

With respect to the audit, the President reported that, as promised, all accounting information had been delivered to the auditor by February 28, 1986. The auditor has not lived up to its promised deadlines, but we are now told to expect the finished audit on June 30, 1986.

The committee to revise the C.C.& R.'s with respect to roof maintenance reported on a lack of significant progress. A current disagreement within the committee centers on dredging. Dick Aronoff offered his apologies for the delay in this project, and promised a report for the August meeting.

On the subject of the suit brought by the Buono et al., in a letter from our attorney, dated June 27, 1986, our insurance company has accepted the defense of this suit. Our attorney will continue our defense for the insurance company.

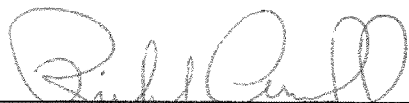
Additionally, the subject of the Harbor's support of the utilities and maintenance of Cola Ballena was discussed. Their reluctance to pay has softened since we produced copies of recorded documents setting forth the agreement for sharing the costs and since we threatened to cancel their easement allowing them use of Cola Ballena. Further efforts will be necessary to collect this debt.

Under **NEW BUSINESS**, a sale advertisement for one homeowner's boat stated that a Ballena Bay berth was included with the boat. As each homeowner only has an easement for docking, the transfer of this easement with the boat requires some caution on the part of the seller. The Secretary was directed to write a letter to the homeowner advising him of some of the problems discussed.

The next meeting of the Board will be scheduled at the call of the chair.

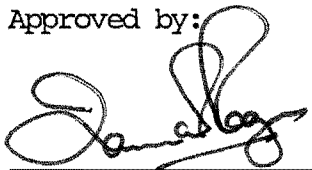
There being no further business the meeting was adjourned.

Submitted by:

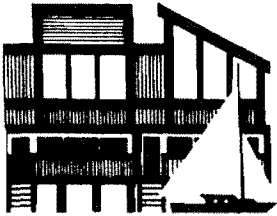


Dick Aronoff, Secretary

Approved by:



Ian Roger, President



Ballena Bay Townhouse Association

Minutes of Meeting
Board of Directors
July 31, 1986

P.O. Box 512 • Alameda, Ca. 94501

The meeting, held at the residence of Ian Roger, was called to order at 7:32PM by Ian Roger, President. Present were: Don McHugh, Bob Partridge, Hoppy Hopkins, Dick Aronoff and Ian Roger. Also present were Jerry Rasco, Tom Sullivan, Italo Calpestri and Kers Klauson.

Under **HOMEOWNERS' BUSINESS**, applications for residence modifications were received by the Board. The architect representing Mr. Loh presented the plans for modifications to 342 Tideway. The Board approved the plans. Sherwood Marshall of 463 Cola Ballena, also represented by Italo Calpestri, submitted plans for modifications to his townhouse. The motion passed by the Board approved extensions to his carport, but disapproved plans for a second story over the garage. The plans of Donald Shiley to modify the decks and fireplaces of 320 & 400 Tideway were discussed and approved. The Board also reviewed and approved plans for modifications to the garage and the addition of a library to Ian Roger's townhouse at 340 Tideway.

The **MINUTES** of the previous meeting were approved as submitted.

There was no discussion under **MATTERS ARISING FROM THE MINUTES**.

There was no **CORRESPONDENCE** sent or received by the Board.

The **TREASURER'S REPORT**, was distributed by Don McHugh. The balance sheets, operating statements, and the bank reconciliation dated June 30, 1986 was discussed and then accepted. As of July 31, 1986, there were 4 homeowners delinquent in their dues, one of which is still delinquent from the previous quarter. Penalties will build in accordance with the C C & R's. As of July 31, 1986, the **TOTAL CASH** was \$136,792.71 and the **MAINTENANCE PROVISION** was \$121,786.64. The treasurer's report was accepted as presented.

Ian Roger presented the **GROUNDS & MAINTENANCE REPORT**. On the subject of dock maintenance: The vertical posts of the ramps are in need of replacing and the materials required have been ordered. Replacement will proceed so that attention is focused where it is most urgently needed. There is still 1 additional piling to be driven for the Descombes' dock. Some of the older homes need the steps between their decks and landings reconstructed. They will be scheduled as we are made aware of them. Work has been completed on the Tonningesen, Hayes, Coker, and Mills headfloats. At this time, only the

Partridge headfloat is still in need of repairs. Routine dock maintenance is proceeding smoothly.

On the subject of painting: Most of Cola Ballena is now complete; on Tideway, the fronts of all homes and many of the backs have been completed; and on Ballena Boulevard, there are only a few homes that need small areas painted. Everything is proceeding normally.

On the Subject of roofing: There are no roof leaks at this time and record for the past year indicates that our roofing program has had excellent results. We will start preventative maintenance for next winter in September.

On the subject of grounds landscaping: Ian reported that the condition of our grounds excellent. We have added a few trees and shrubs. No problem areas were reported.

The Board voted to accept the Grounds & Maintenance Report.

Under CITY & OTHER ASSOCIATIONS AND AUTHORITIES, the President reported that there was no activity to be discussed.

The PRESIDENTS REPORT. Ian reported that he would be producing notes to the homeowners.

Under OLD BUSINESS it was reported that there were matters pending from the November Annual Meeting.

With respect to the audit, the President reported that the completed audit had been distributed to all homeowners, and that there had been no feedback. The audit, of course, substantiated the information released at the last annual meeting.

The committee to revise the C.C.& R.'s with respect to roof maintenance reported on a lack of significant progress.

On the subject of the suit brought by the Buono et al., there has been no new developments.

Additionally, the subject of the Harbor's support of the utilities and maintenance of Cola Ballena was discussed. Further efforts will be necessary to collect this debt. We may be forced to deny the harbor access to Cola Ballena.

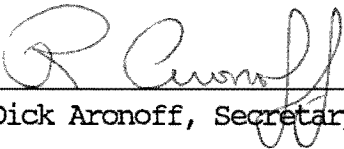
Under NEW BUSINESS, the problem of homeowners, or renters, renting out their designated berths was again discussed. Letters directed at offenders were read to the Board. The Board agreed to continue its tight clamp down on this illegal activity. With regards to the Ballena Bay Cruisers' Cup, although some thought that this activity was directed at advertising those of our homes that are for sale, the real purpose of this event is to further both the Boy's Club of Alameda and the local Sea Scouts. Thanks to the generosity of the developer of the 11 new townhouses and the efforts of Ian Roger and

Dick Aronoff, we might all take pride in this charitable act.


The next meeting of the Board will be scheduled at the call of the chair.

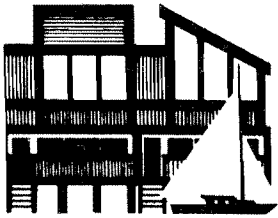
There being no further business the meeting was adjourned at 10:36PM.

Submitted by:


Dick Aronoff, Secretary

Approved by:


Ian Roger, President



Ballena Bay Townhouse Association

Minutes of Meeting
Board of Directors
September 10, 1986

P.O. Box 512 • Alameda, Ca. 94501

The meeting, held at the residence of Ian Roger, was called to order at 7:56PM by Ian Roger, President. Present were: Don McHugh, Hoppy Hopkins and Ian Roger. Also present were Nola DeMeuse, Jerry Rasco, Sherwood Marshall and Italo Calpestri.

Under **HOMEOWNERS' BUSINESS**, applications for residence modifications were received by the Board. Sherwood Marshall of 463 Cola Ballena, submitted revised plans and a study of seasonal sun angles by Italo Calpestri for modifications to his townhouse. During the ensuing discussion objections by both Dr. Rasco and Mrs. DeMeuse were presented. Dick Aronoff, Secretary to the Association, who had reviewed the plans at an earlier time, called to the meeting from Los Angeles and discussed the plans with both Mr. Marshall and Dr. Rasco. Dick Aronoff then communicated his opinion of the application to Mr. Roger to be considered when the Board voted. The application was passed by the Board. Application to approve storage cabinets on the rear deck of 1225 Ballena Blvd. was made by Dick Aronoff. The Board approved this application. Jim Neal of 1223 Ballena Blvd. requested permission to reroof his garage. The Board approved this application with the stipulation that our roofer must accept his roof before the Association would be responsible for maintenance. Elwood Hopkins and Curt Simons, of 1207 & 1209 Ballena Blvd. respectively, have requested to each expand their rear deck toward the other. The Board affirmed this application. Peter Wang of 511 Tideway has requested permission of the Board to install an air conditioning compressor beside his townhouse. The Board approved this installation provided that a solid fence of siding be installed to camouflage the unit.

The **MINUTES** of the previous meeting were approved as submitted.

There was no discussion under **MATTERS ARISING FROM THE MINUTES**.

CORRESPONDENCE was received by the Board from Mr. Thrusten on the subject of his roof. The Board agreed that his roof be would included in the normal procedure for roof replacement.

The **TREASURER'S REPORT**, was distributed by Don McHugh. The balance sheets, operating statements, and the bank reconciliation dated July 31 &

August 31, 1986 were discussed and then accepted. As of August 31, 1986, there were only 2 homeowners delinquent in their dues. As of August 31, 1986, the GAIN was \$7,806.54 ahead of budget for this year to date. The treasurer's report was accepted as presented.

Ian Roger presented the **GROUNDS & MAINTENANCE REPORT**. On the subject of dock maintenance: The caps, rails & vertical posts of the ramps are in need of replacing and the materials required were ordered and have arrived. Before accepting these materials Ian wants to inspect the quality of the wood. Replacement will proceed so that attention is focused where it is most urgently needed. There is still 1 additional piling to be driven for the Descombes' dock. Some of the older homes need the steps between their decks and landings reconstructed. They will be scheduled as we are made aware of them. The Partridge headfloat has been repaired. Routine dock maintenance is proceeding smoothly.

On the subject of painting: 401 to 451 Cola Ballena is now complete; on Tideway, only the court yards need to be completed; and on Ballena Boulevard, there is considerable painting to be done. Everything is proceeding normally.

On the Subject of roofing: The roofer inspected all roofs in the Association. The roofs on Cola Ballena and Ballena Boulevard are in need of attention. The roofer suggested making general repairs at this time and to schedule those areas for new roofs in the spring. Due to the cost of insurance, the roofer has raised his prices to \$4,664.00 per unit for the specified roof with a 10 year bond. The flat roofs on Tideway, both East and West, should be able to get by 2 or 3 more years with only minor repairs. These roofs with their smaller square footage could be reroofed for \$3,190.00 per unit using the same roof specifications. The shingled roofs on Tideway will also need replacing in 3 years as the useful life of the material will have expired. Ian feels the roofer's estimates may be able to be stretched another year. The roofer also commented that our on-going maintenance program does work that is superior to the standard repairs done by roofers.

On the subject of grounds landscaping: Ian reported that the condition of our grounds excellent. We have added a few trees and shrubs. No problem areas were reported.

The Board voted to accept the Grounds & Maintenance Report.

Under **CITY & OTHER ASSOCIATIONS AND AUTHORITIES**, the President reported that there was no activity to be discussed.

The **PRESIDENTS REPORT**. Ian reported that he would be producing notes to the homeowners.

Under **OLD BUSINESS** it was reported that there were matters pending from

the November Annual Meeting.

The committee to revise the C.C. & R.'s with respect to roof maintenance reported on a lack of significant progress.

On the subject of the suit brought by the Buono et al., there has been no new developments.

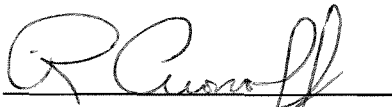
Additionally, the subject of the Harbor's support of the utilities and maintenance of Cola Ballena was discussed. Further efforts will be necessary to collect this debt. We may be forced to deny the harbor access to Cola Ballena.

Under **NEW BUSINESS**, the insurance premium is up approximately \$2,000. The figure has not been set yet, but we are covered. We had expected a larger increase, so our budget is intact.

The next meeting of the Board will be scheduled at the call of the chair.


There being no further business the meeting was adjourned at 10:22PM.

Submitted by:



Dick Aronoff, Secretary

Approved by:



Ian Roger, President