



Ballena Bay Townhouse Association

P.O. Box 512 • Alameda, Ca. 94501

Minutes of the Board Meeting 12/19/88

The meeting was held at 1209 Tideway and called to order by President Bob Smith at 7:45 pm. Attending were Board members: Bob Smith, Andy Hall, Marty Gross and Mike Edwards. Absent were Ian Roger and Secretary Phil Braverman.

Others attending were:

--Susan Gross --Archie Stone --Chuck Gallup
--Shep Gallup

The minutes from the November 30th meeting were read and approved.

Presidents report: Bob Smith entertained discussion and a motion to decide on an attorney for the Association. Andy Hall spoke on behalf of Mark Fong in terms of his specialty, (which is homeowners associations) the manner in which he conducted the recent election and his rate (which is \$40 per hour less than our previous attorney.) Motion was made, seconded and passed to engage Mark Fong as attorney for the Association.

Treasurers report: Andy Hall

Check written to Franchise Tax Board \$ 321.70 which for tax due in 1988 including a penalty. We are still awaiting the forms required for reinstatement of Corporate status. The levy taken by the State of \$1600 was for 1985, 86, and 87. Forms have still not been prepared for those years. Andy received a check for \$720 from the IRS without a letter of explanation. Looks like it could be from a large overpayment in 1984.

Andy reported there is \$7200 in our checking account and same amount as previously reported, in the other accounts. Andy researched the Citicorp CD and is working on rolling them into a higher paying account.

All of the estimated withholding tax for the workers has been paid. Andy suggested a purchase order system for better control of our expenditures. Bills are received and paid-- sometimes itemized in detail, and sometimes not. Andy suggested that all purchases over \$ 50 require a purchase order with two members of the Board signing off. Andy also

wants to establish controls over the supplies and equipment in inventory used by the workmen. Smith made a motion that all purchases over \$50 be accompanied by a Purchase Order signed by two Board members. Andy added that it should apply to services as well as goods. Motion was passed.

Andy discussed a very rough cut at the financial outlook for 1989, based on what has been spent in prior years. Income at current dues rates will be about \$ 110,000 including interest earned. Fixed expenses (insurance, utilities and other ongoing) about \$ 40,000. Employee costs at current rates about \$ 43,000. This leaves only about \$ 27,000 to cover supplies, maintenance, repairs, and any contribution made to reserves. There are many pilings that need replacing (\$ 17,000 so far for 11 pilings) and painting and other deferred maintenance needed. More detailed work will be done on a budget for 1989. The Treasurer's report was accepted.

The Board discussed ways to get the Committees going. Twenty one homeowners have volunteered to serve on committees. Marty recommended there be a chairperson to oversee the committees and get them started. Marty agreed to do this. More volunteers are needed, and a chairperson needed to head the maintenance committee.

Volunteers

By-Laws & CC&R's	7
Finance	3
Maintenance	2
Docks	1
Landscaping	6
Architecture	3
Communications	2

Susan Gross, head of the landscape committee reported on a number of problems which were then discussed at length:

- trees that are dying and need replacing
- certain landscaping that is dying for lack of regular watering

- the efficiency of our employee trying to sweep the streets with a small broom (vs a power blower)
- the level of landscaping knowledge of our employees
- the cost to set things right

It was agreed that a plan should be developed considering three phases: 1) to clean up our homes and remove dead/dying plants 2) to replant where needed 3) ongoing maintenance. The plans will include recommendations as to who will oversee the operations and the funding required including outside bids where appropriate.

Further discussion pointed out the feelings by the local realtors that BBTA really needs to clean up its act in landscaping and the general appearance of the homes which because of the paint colors have taken on the look of army barracks.

Archie Stone, chairman of the By-Laws committee talked about how to iron out the inconsistencies and uncertainties primarily in the area of replacement of roofs. Big problem is how to pay for roofs. Several ways were discussed. One course of action would be to: first, clarify that the Association is responsible for roof replacement: then, the Association would initiate and supervise roof replacements, but assess each owner for their cost--there is no practical way to replace roofs out of current operating dues even if increased.

Unfinished business:

The major item is reinstatement of our Corporate status. Andy reported that we have sent money in and are awaiting forms. The suggestion was that due to lack of progress we turn the matter over to the Accountant to fix as resolved at the previous Board meeting. Andy will handle. It was noted that many of the Association records needed are still not in the possession of the Officers. Bob will meet with Len on 1/3 to resolve this.

New Business:

Letter from Millie Moser requesting installation of a dish antenna on her roof. It was suggested that a drawing and specs giving the size of the dish be provided before a decision could be made. Bob Smith to write Millie a letter requesting the additional information.

Letter from John Buono requesting approval by the current Board of the proposed settlement of his lawsuit. Bob Smith had just received a copy of the agreement and had not had time to read it all. Chuck Gallup provided additional background on the lawsuits. Board members requested adequate time to read it, ask questions and settle as quickly as possible. Motion carried to move the matter to the agenda of the next meeting. There was some question as to the currentness of the agreement as distributed. Chuck Gallup will research this and report back.

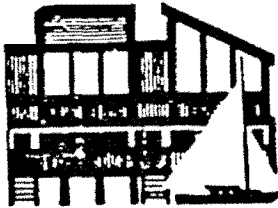
There was no other homeowners business. The next meeting was called for January the 4th at 7:30 pm at Andy Hall's house at 459 Cola Ballena. All neighbors are invited to attend.

The meeting was adjourned at 9:45 pm.

Respectfully submitted:



Phil Braverman, Secretary



Ballena Bay Townhouse Association

P.O. Box 512 • Alameda, Ca. 94501

Minutes of the Board Meeting of

11/30/88 *

The Board meeting of BBTA was held at 410 Tideway and called to order by President Bob Smith at 7:45 pm. Attending were: Ian Roger, Marty Gross, Andy Hall, Bob Smith. Absent was Mike Edwards who was called away for sea duty. Secretary Phil Braverman was also present.

Neighbors attending the meeting included:
Jim Neil, Nancy Smith, Jeanette Holman, Shep Gallup, Robin Sams, Beverly and Bob Partridge, and Archie Stone.

The Board noted with deep regret, the passing of Al Getz, one of the original owners at BBTA and a fine friend and neighbor.

The Board also extended its wishes for a speedy recovery to Dr. Chuck Gallup who recently underwent an emergency appendectomy.

Bob Smith indicated we will follow Roberts Rules at Board meetings and reviewed the procedures:

- o reading and acceptance of previous minutes
- o reports of Officers
- o reports of special committees
- o unfinished business
- o new business (the first item being homeowner business: home owners are encouraged to submit issues to Board members for discussion or attend and present in person)

While there were no formal minutes taken at the Board meeting following the election, it was moved that the actions of that meeting become an official part of the record.

At that meeting, held just following the election:

Ian Roger nominated Bob Smith to be President of the Association; seconded by Andy Hall. Bob Smith nominated Andy Hall as Treasurer; seconded by Marty Gross, Bob Smith nominated Marty Gross as Vice President, seconded by Andy Hall. The vote was taken and the above candidates were accepted. Phil Braverman was asked to be Secretary of the Association and he accepted the appointment. The schedule for the next board meeting (11/30) was set and the meeting adjourned.

Andy Hall presented the Treasurer's report.

The balances in our accounts are \$ 7900 and \$ 97,300. There are two CD's in the approximate amount of \$23,000 which expire on 12/8. Hall recommended and discussion followed, on moving the CD's to an insured institution paying a higher interest than our recent quotation. Ian Roger moved that the Treasurer be given discretion to act in this fashion in the best interest of the Association. Motion was passed.

Hall further reported there are approximately \$ 6,000 in bills to be paid. Ian Roger moved approval to pay the bills and sign the checks. Motion passed. Hall reported that the utility bills owed to BBIA by our neighbor associations are now current.

Ian reported on the status of the issue with the State Franchise Tax Board. He has written and called them on four recent occasions. They claim the forms we need for reinstatement of our Corporate status were mailed to us. Andy Hall was asked if the levy had been paid and indicated that the State had taken the money it was owed from our bank. Bob Smith recommended we give the State until 12-15 to send us the forms after which we turn the matter over to our accountant Joe West for resolution. Motion was made and carried as to this plan.

Andy Hall reported on the current dues collection that three out of ninety one members were overdue. A bill for the next quarter will go out in late December. The rule on late fees was reviewed: Ian pointed out that a 10% penalty applies on dues over 30 day late. He indicated that overall, collection of dues has not been a problem in recent years.

The report of the Treasurer was accepted by the Board.

Marty Gross reported on the questionnaires requesting input on needed repairs and requesting participation on various committees. We have received 18 responses so far: on the repairs, the common issues were roofs, landings and paint. Ian pointed out that only nine out of forty two ramps remain to be built and installed. He received accolades from the attendees on the success of the ramp program--all done with inhouse labor.

Marty's report was accepted by the Board.

Bob Smith called for homeowners business. There was none presented at this meeting. He again encouraged homeowners to submit issues in writing or attend Board meetings and present in person.

Bob read a report on a proposed structure of committees

prepared by Archie Stone. Archie identified and defined the responsibilities of seven standing committees who under Board policy direction will carry out the many programs necessary to the Association. The committees will each have a definite scope of effort and report to the Board on a regular basis. A motion was made to thank Archie for his work and for the Board to review the proposed committee definitions. Motion passed. It was also agreed to establish the heads of the committees so they could provide input to the charter of each committee. The committees and potential chairpersons identified are:

Architecture	Ruth Masonek
Landscaping	Susan Gross
Marine Structures	Terry Klaus
Home Maintenance	Need a volunteer ***
Budget and Finance	Andy Hall
Communication	Phil Braverman
By-Laws & CC & Rs	Archie Stone

There are already a number of homeowners who have volunteered to be members of these committees--more are needed. Please add your name to the attached form and return to Phil Braverman at 405 Cola Ballena.

A motion was made and passed to accept the names put forth.

The next Board meeting is planned on Monday 12/19 at 7:30 pm at the home of Marty Gross 1209 Ballena Blvd. All neighbors are welcome to attend. A reminder was offered about the Fasta Dinner at the Yacht Club on the 9th of December.

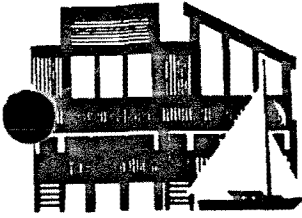
The meeting was adjourned at 9:10 pm.

Respectfully submitted:



Phil Braverman, Secretary

* Minutes of this meeting will be accepted or revised and accepted at the next scheduled Board meeting on 12/19/88. Please mark your calendar and plan to attend.



Ballena Bay Townhouse Association

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Minutes of the Board meeting held 10/17/88

The meeting was held at the Ballena Bay Yacht Club and called to order by President Bob Smith at 8:00 pm. This was a special meeting of the Board to agree on the rules for the court ordered election and other matters the court has stipulated be considered. Roll call was taken--attending were Board members: Smith, Hall, McHugh, Gross, Edwards, Hopkins, Roger. Alison Braverman agreed to take the minutes. Also attending were:

--Bob Partridge	-- Marcia Gerin	-- Beverly Partridge
--Sergio Gerin	-- Archie Stone	-- Ed Clancy
--Ida Stone	-- John Bound	-- Jim McGrew
--Jean Hall	-- Phyllis McGrew	-- Nancy Smith
--Jeanette Hallman	-- Agnes Ringo	-- Harold Nelson
--Mel Schwartz	-- Chuck Gallup	-- Al Getz
--Phyllis Getz	-- Robin Sams	-- Alison Braverman
--John Russell	-- Ruth Masonek	-- Josie Schwartz
--Shep Gallup		

Ian Roger moved that the ballot proxy rules package for the next election that Attorney Fong developed be accepted. McHugh seconded the motion. Proxies require that every person listed on the deed of trust sign the proxy. This is no different than the by-laws have always required but the rule has not been followed in recent years.

The motion was unanimously approved: the election will be held on Wednesday November 16th at 7:30 pm at the Ballena Bay Yacht Club.

The matter of review of the financial statement from Aug 11, thru October 17th since the last election was discussed:

Roger presented a financial statement. Smith felt he could not approve a financial statement without adequate review. Roger suggested that the statement be accepted rather than approved for now. The procedures for approval outlined by the court were discussed.

Hall questioned the accounts payable listed by Roger as zero.

Numerous penalties have been paid in the range of \$ 100 and \$200. All three of our bank accounts have been attached by various taxing bodies: CD's savings account and a 7/31/86 attachment by IRS for withholding and late filing. \$ 2186 has been paid in penalties.

A letter from the IRS recently received was circulated. It stated that unless returns were filed in 10 days the Association would be subject to fines and criminal penalties.

Smith commented on the terrible shape of the books and made a motion to adjourn the meeting.

Alison Braverman

Alison Braverman

Ballena Bay Town House Association

Minutes of an emergency Board meeting held 8/30/88

The meeting was held at 410 Tideway and called to order by President Bob Smith at 7:55 pm under article 10 of the By-laws: all Board members were notified. Role call was taken--attending were Board members: Smith, Hall and Gross. Absent were Board members Edwards and Roger. Also attending were: Secretary Braverman, and the following homeowners:

- Jim McGrew
- John and Ingrid Buono
- Mel Schwartz
- Bob Descombes
- Archie Stone
- Alison Braverman

The Secretary notes there were a quorum of the Board members present. The minutes of the previous meeting were read and accepted.

Bob Smith stated that the major purpose of the meeting was to address the discovery that the premium on our master insurance policy had not been paid and was a month late--the policy in danger of being cancelled.

Further, Mr. Roger has, as of this meeting date, refuses to hand over the records of the Association as instructed in the letter delivered to him on 8/23. He has so stated his refusal in a phone call to Andy Hall on Sunday 8/28.

Actions taken by the board were as follows:

The Association's Bank has granted the Officers power over the bank accounts and new signature cards were signed by the Officers. A check in the amount of \$ 18,526 will be immediately issued to the insurance company.

A motion was made and carried to accept Mike Scholtes, Attorney at Law of the firm of Chatzky, Fong and Fong, as the new attorney for the Association, and to request that he immediately take whatever legal action necessary to deliver the records of the Association to the Officers.

Other discussion and actions taken:

The concern was raised that the Association's insurance agent could not confirm the existence of workmen's compensation insurance--which could be a major problem.

Andy Hall will meet with David Levy, CPA, who specializes in association accounting, on the question of a thorough audit of the Associations books. Andy will get a recommendation as to a suggested time period and cost estimate and report to the Board at the next meeting on 9/6/88.

Bob Smith reported that the Officers and Directors insurance policy for errors and omissions had a \$ 1000 deductible. After discussion, a resolution was passed that the Association will pay the deductible in case of a lawsuit.

Bob Smith will open a new Post Office box for the Association and direct the mail be forwarded to the new box.

It was recommended that a letter be sent to a list of 15 individuals and organizations who deal with the Association - informing them who is authorized to sign checks and represent the Association. Jim McGrew volunteered to send such a letter.

A letter from Dr. Gallup of 415 Tideway was read containing a request for a letter from the Association to the City of Alameda, approving a retaining wall recently built. After discussion, it was decided the three Directors present will inspect the wall and the plan to cover it with ivy, before deciding on a letter. The matter will be put on the agenda of the 9/6 meeting.

A letter from John Buono, 1237 Ballena Blvd, was read requesting the Board take action to remove a 60 foot boat belonging to Donald Gutlaben, 1235 Ballena Blvd, which is parked in the channel obstructing the entry to three slips. After discussion, the Secretary was instructed to draft a letter to Mr. Gutlaben to remove his boat.

There was further discussion of extra floats parked in various slips. Bob Smith indicated that a committee had been formed to work on this problem and will report back.

Bob Descombes brought up the subject of needed dredging. It was decided to hold that discussion for the next meeting.

The meeting was adjourned at 9:20 pm.

Respectfully submitted:



Phil Braverman
Secretary, Ballena Bay Townhouse Association

Minutes of the Board of Directors Meeting
Ballena Bay Townhouse Association
August 22, 1988

The meeting was called to order at 7:35 pm at 410 Lidway. Board Members present were: Andy Hall, Marty Gross, and Bob Smith. Absent were Ian Roger, and Capt. Mike Edwards. Other homeowners present were: Mel Schwartz, Jim McGrew, Phyllis McGrew, Al Getz, Terry Klaus, John Buono, Nancy Smith, Charles Gallup, Alison Braverman, Phil Braverman, Robin Sams.

It was agreed that Bob Smith would act as chairman until officers were elected. Alison Braverman agreed to be recording secretary for this meeting.

As a quorum of the Directors were present, the election of officers was held. The following officers were elected by unanimous vote:

- o Bob Smith -- President
- o Marty Gross -- Vice President
- o Andy Hall -- Treasurer

The Directors agreed that 1988/89 board meetings will be held on the first Tuesday of each month, and are open to all homeowners. The next Board meeting will be held on September 6th at the home of Andy Hall at 459 Cola Bellere. The annual meeting will be conducted on the date called for in the By Laws.

The Board passed a resolution asking Ian Roger and von B. High to turn over all bank accounts, records, inventories of assets, all correspondence, and the Corporate Seal to the new Treasurer of the Association by Monday August 29th.

The Board heard from Chuck Gallup and John Buono who have a lawsuit pending against the Association. The lawsuit asks for compensation for roof replacement. Both explained that they hoped the outcome of the litigation would establish the responsibility of the Association for roof replacement. They further explained that a settlement proposal from the insurance company representing Ian Roger and the rest of the Board demands that Buono give up a door, and that Gallup resolve the dispute with Ian Roger regarding a blood wall, a hand pole and a cover over his sprinkler. (None of these items had been no relationship to the subject of the litigation (the roofs.) Buono and Gallup are not agreeing to the settlement proposal.

Andy Hall read a letter from James Robertson of 317 Tideway who is concerned about the debris, junk cars, and floats on West Tideway and old tires on the beach opposite. Harty Gross agreed to pursue the problem of the junk cars. Terry Klaus agreed to chair a committee of volunteers, Al Gelz, Jim McGrew, and John Buono to form work parties to dispose of the extra dock tubs that were reported to be a major eyesore.

Other items discussed:

- o Replacement of the pilings.
- o The street lights on Cola Ballena and Tideway.
- o The selection of an Attorney who is not involved the current litigation, to represent the Association as a whole.

The meeting was adjourned at 9:00 pm.

Respectfully submitted,



Alison Braverman, Temporary Secretary

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1.

The Directors of the Ballena Bay Townhouse Association No.1 held a meeting at 340 Tideway Drive, Alameda, California on the 5th day of September 1988 at 7:00 o'clock P.M.

There were present at said meeting the following Directors constituting a quorum of the full Board:

IAN A.P. ROGER,	President.
MICHAEL B. EDWARDS,	Vice President.
ELWOOD W. HOPKINS III,	Secretary.
DONALD S. MCHUGH,	Treasurer.

There were none absent.

The President reported that it was necessary to provide for proper depository for the funds of the corporation and to authorize certain officers of the corporation to deal with the corporate funds. Upon motion duly made, seconded and unanimously carried, the following resolutions were adopted:

WHEREAS, persons purporting to be officers of the board of directors of this corporation appear to have improperly caused the corporations funds to be placed in accounts other than those provided for by the authorized officers of this corporation; and

WHEREAS, it is deemed to be in the best interest of this corporation and its members that these funds be returned to the proper accounts and placed under the control of the properly constituted Board of Directors.


NOW, THEREFORE, BE IT RESOLVED that all the funds of this corporation that were on deposit in the accounts numbered 021-803 29 and 029-01302 at the Webster Street Branch of the Alameda First National Bank, Alameda, California, be forthwith be returned to these accounts.

RESOLVED FURTHER that all checks, drafts and other instruments obligating this corporation to pay money shall be signed on behalf of this corporation by any two of the following three officers:

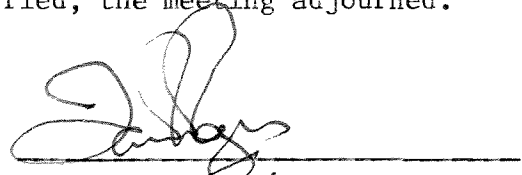
The President	Ian A.P. Roger
The Vice President	Michael B. Edwards
The Treasurer	Donald S. McHugh; and

RESOLVED FURTHER that these aforementioned officers and no others, are hereby authorized to execute signature cards with the Webster Street Branch of the Alameda First National Bank, Alameda, California.

There being no further business to come before the meeting, upon motion duly made, seconded and unanimously carried, the meeting adjourned.



ELWOOD W. HOPKINS III Secretary

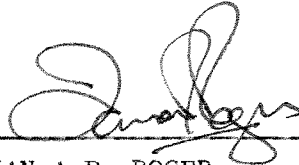


IAN A.P. ROGER President

WAIVER OF NOTICE AND CONSENT TO HOLDING OF MEETING OF
DIRECTORS OF BALLENA BAY TOWNHOUSE ASSOCIATION NO 1.

We the undersigned being all of the Directors of the BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1, a California non-profit corporation, and desiring to hold a meeting of the Board of Directors of said corporation for the purpose of providing for a proper depository for the funds of the corporation and to authorize certain officers of the corporation to deal with the corporate funds, DO HEREBY waive notice of said meeting and consent to the holding thereof at 340 Tideway Drive, Alameda, California, on the 5th day of September 1988, at 7:00 o'clock P.M. for the purpose as stated above and do further agree that such business transacted at said meeting shall be as valid and legal and of the same force and effect as though said meeting were held after notice duly given.

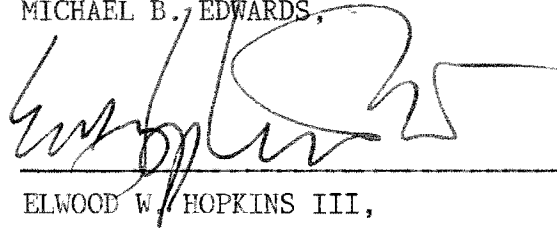
WITNESS our signatures this 5th day of September, 1988.



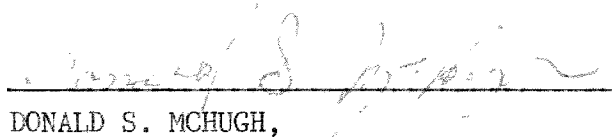
IAN A.P. ROGER,



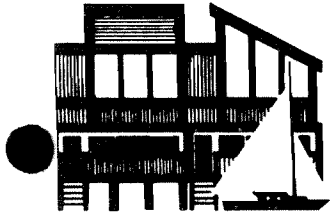
MICHAEL B. EDWARDS,



ELWOOD W. HOPKINS III,



DONALD S. MCHUGH,



Ballena Bay Townhouse Association

P.O. Box 512 • Alameda, Ca. 94501

Minutes of Meeting
Board of Directors
July 6th 1988

The meeting was called to order by the President at 7.40 p.m. Attending at the Roger residence were Ian Roger, Don McHugh, Mike Edwards, and Hoppy Hopkins. Jon Walker the association's Vice President, has indicated that he can no longer serve as he has extensive alterations both at his home and his office which will require a great deal of his time. His resignation was accepted with regret, for he has proved a very useful and dedicated member. Mike Edwards agreed to serve as vice president until new elections are held.

Homeowners Business.

A letter has been received today asking for an after the event approval for a wind and sight screen which had been placed at 312 Tideway Drive, this to give some privacy as the home is overlooked by the apartments opposite. It is only in place from June to September and will be discontinued when a tree that has been planted reaches maturity. The only near neighbor has not objected. The board decided to approve this screen under the above conditions.

Minutes of Previous Meeting. The minutes of the a previous meeting which were not available as Dr. Hopkins was absent and the minutes of the last meeting were approved as presented.

Matters Arising from the Minutes. There were no matters arising.

Correspondence. There was no correspondence, other than that detailed under Homeowners Business above, to be considered

Treasurers Report. The Treasurers report for the months of March April and May were approved as presented.

Grounds and Maintenance. The Grounds and Maintenance Report was given by Ian Roger. Work continues on the construction of new dock ramps together with painting. Antonio Quinto who replaced Roberto Jumamoy is working very well and appears to pay great attention to detail.

City and Other Associations. There was nothing to report

President's Report.

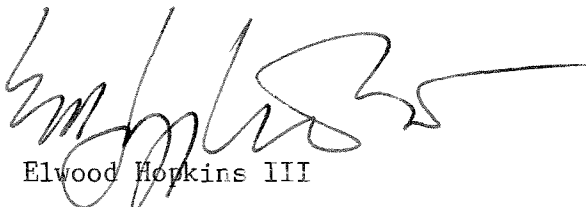
The President reported that although summer is usually a poor time to hold meetings. A list had been circulated and signed by some 31 people, although several had since repudiated their signatures. It seemed a good idea to seek the wishes of the majority. He therefore proposed that he write a letter to the membership to determine the majority's opinion as to a convenient date for a meeting to be held between the dates of 28th July and the 12th August 1988. The Board approved this action.

Old Business. There was no old business.

New Business. There was no new business.

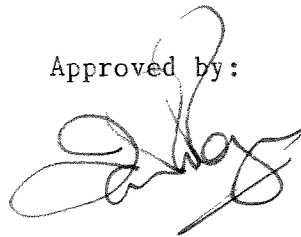
The Meeting was adjourned at 9.25 p.m. the next meeting will be at the call of the Chair.

Submitted by:

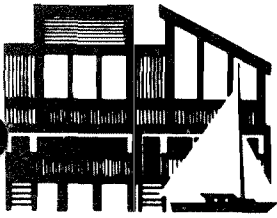


Elwood Hopkins III
Secretary

Approved by:



Ian Roger
President.



Ballena Bay Townhouse Association

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Minutes of Meeting
Board of Directors
March 30th 1988

The meeting was called to order by the President at 7.45 p.m. Attending at the Roger residence were Ian Roger, Don McHugh, Jon Walker, Mike Edwards, Hoppy Hopkins was expected but prevented from attending by a medical emergency. Pat Hayes has resigned from the board and Mike Edwards has agreed to serve in his place.

Homeowners Business.

Jon Walker presented his plans for alterations to his residence at 431 Cola Ballena for approval. These were similar to those already approved for a number of owners. He also provided copies of letters that he had sent to his neighbors dated March the 12th, which made them aware of his plans. The board approved the plans as submitted and authorized the president to provide a letter to Dr. Walker in order that he would be able to commence the work.

Minutes of Previous Meeting. The minutes of the previous meeting were not available as Dr. Hopkins was not present. It was decided to move on to the next business and if he should not arrive, to consider them at the next meeting.

Matters Arising from the Minutes. There were no matters arising.

Correspondence. There was no correspondence to be considered

Treasurers Report. The Treasurers report for the months of January and February were approved as presented.

Grounds and Maintenance. The Grounds and Maintenance Report was given by Ian Roger. Work continues on the construction of new dock ramps interspersed with some painting. Roberto Jumamoy has left our employ to accept employment with the United States Post Office. Antonio Quinto has returned to replace him. Mr. Algaba was terminated at the end of January and will not be replaced.

City and Other Associations.

There was nothing to report

President's Report.

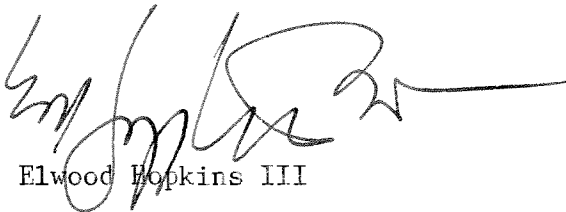
The President had nothing extra to report.

Old Business. The President reported that he had taken the boards decision with reference to the Gallup matter to the associations attorney who has passed it to the opposing attorney and the insurance company.

New Business. There was no new business.

The Meeting was adjourned at 9.55 p.m. the next meeting will be at the call of the Chair.

Submitted by:

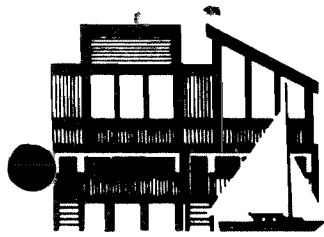


Elwood Hopkins III
Secretary

Approved by:



Ian Roger
President.



Ballena Bay Townhouse Association

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Minutes of Meeting
Board of Directors
January 7th 1988

The meeting was called to order by the President at 7.30 p.m. Attending at the Roger residence were Ian Roger, Don McHugh, Jon Walker, Pat Hayes and Hoppy Hopkins.

Homeowners Business.

At the previous meeting an application had been received from Charles Gallup for approval of a partially completed project that had been placed on property owned by the association. The project had originally been commenced without the association knowledge and was the subject of a stop work order from the city of Alameda. The city had informed the association that no work should have been commenced prior to the issuance of a permit and that no further work should be done without a permit. After seeking legal advise the association had asked Dr. Gallup to submit a proper application and for an assurance that if the board should approve that all costs be borne by him.

The board considered the matter in great depth, concern was expressed that the stairs might be utilized in the future for other than maintenance on the part of the homeowner in fact that it might become a source of access for a boat currently moored at the Gallup's slip owned by a person living across the street, not a member of the association. Also of concern was the height of the wall that had been constructed and the removal of the ivy cover which had held the stability of the bank above the rip rap until now. The board took notice that the Gallups had carried out a number of changes in the vicinity of their residence on common property, including removing trees and installing a lighted flag pole. Also they had been in litigation against the association and that the respective attorneys were currently researching a possible settlement.

Motion was made, seconded and passed unanimously that approval would be offered as part of the settlement between the parties and would include the following conditions; that the wall would be reduced in height by two courses

of cement blocks and that the remainder be painted to blend in with the surroundings. that the ivy be reestablished and encouraged to screen the changes on the bank, that access to the area be restricted to the resident of 415 Ballena Blvd., for purposes of residence maintenance, to members of the association, and employees of the association for the purpose of maintenance and that access from the water be only allowed to association staff, That the lighted flag pole be allowed to remain. That as a condition of the settlement that no cost for these additions should devolve upon the association that the cost of any upkeep or maintenance of these additions would remain the responsibility of the Gallups or their successors.

Minutes of Previous Meeting. The minutes of the previous meeting were approved as presented after correction, it was pointed out that Jon Walker should not have been shown as attending.

Matters Arising from the Minutes. There were no matters arising.

Correspondence. A letter was received from Phyllis Hickman complaining that Jerry Rasco had live aboard berthers in his slip. This complaint was also joined by Andy Hall who is purchasing the Hickman residence. A letter was received from Jerry Rasco stating that no live aboards were in his slip he further denied operating commercial activities at his dock.

Treasurers Report. The Treasurers report for the month of December was approved as presented.

The homeowner that had failed to make payment to the association for his new roof having asked to delay payment until his house refinancing was complete but has not done so had after receiving a warning letter from the associations attorney paid his bill in full.

Grounds and Maintenance. The Grounds and Maintenance Report was given by Ian Roger. Work continues on the construction of new dock ramps. It was hoped that we may complete the project by the end of the year, these are being replaced in order of deterioration. Landscaping problems were discussed. Two new workers have been hired as replacements.

City and Other Associations.

The hotel project proposal is being reinstated, with a much lower profile and a reduction from 200 to 185 beds.

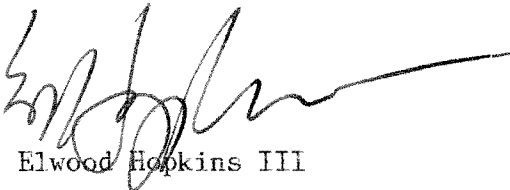
President's Report. The President had nothing extra to report.

Old Business. There was no old business.

New Business. There was no new business.

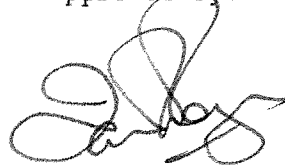
The Meeting was adjourned at 9.40 p.m. the next meeting will be at the call of the Chair.

Submitted by:



Elwood Hopkins III
Secretary

Approved by:



Ian Roger
President.