

Heatherstone Village Homeowners Association

P.O. Box 1321, Painesville, OH, 44077 www.heatherstonevillage.com

DATE: 23 November 2024

RE: Legal Status and Plan for 2025

Hello to all of our owners. Your HOA Board of Trustees has received requests from multiple sources to review and post information regarding the vote to extend the deed restrictions, and the expiration clause language in our Declaration. Since we are not attorneys, we felt that it was best to have our legal counsel at Kaman & Cusimano review these matters, and then generate a letter to all of you to explain their findings and their legal opinion of our current position. That letter is now posted on our website, and a copy will be sent by US Mail to every owner as well.

In a nutshell, the attorneys have informed us that the legal restrictions placed on all of our deeds by the Declaration have expired, effective January 1, 2016. Since that date, we have been operating under the rules of the Ohio Planned Communities Act, which is a set of Ohio laws that govern the operation of communities like ours. Those laws govern the right of the HOA to assess dues and pay our common expenses, such as property tax on all of our common area property, legal fees, landscaping and tree removal fees, insurance costs, bank fees, and all the rest. The attorney's letter explains all of these points, and everyone is encouraged to read it.

Our understanding is that life will go on pretty much as it did before the deed restrictions expired almost nine years ago, but we will all have to come to some mutually-agreed-upon arrangement, if we want to preserve our community standards and our property values. All of us purchased homes here in Heatherstone. We would ask all of you to consider this question: What convinced you that Heatherstone Village was the place that you wanted to live?

It certainly isn't the topography, since many of us deal with flooding issues now and then, when the hard rains come. It certainly isn't our extravagantly large lot sizes, with everyone enjoying two, or five, or ten acres. It certainly isn't our local amenities, as much as many of us enjoy hearing the Riverside band on Friday nights in the fall, or getting an ice cream cone across the road. So, what is it? What drew you to this particular place? For us, it was the feel of the neighborhood, with well-maintained homes, and caring neighbors that looked out for each other. It was the sense of harmony that we all enjoy, by following some basic rules that benefit everyone. The difference now is that we will all have to agree that we want to continue that lifestyle. If we don't, then our neighborhood will begin to decline, and our property values will

follow. In other words, the things that convinced you that you wanted to own a home in Heatherstone will no longer be there.

To that end, the Trustees are working on organizing an owners meeting in 2025, where we can review and discuss a proposed set of rules that we all agree to follow. We want input from everyone, because we want everyone on board when those rules are put in place. The rules are not mandatory, and there will be no “enforcement” from the HOA. The best way for each of you to know that no specific rule is unacceptable to you is to attend the meeting and participate in the drafting of those rules. Our HOA documents established February as the month for owners meetings, so we are looking to schedule the next meeting in February 2025. Until then, we will all continue with our day to day lives. Your HOA will continue to work to address all of the issues that may come up, like a common area tree that has fallen on to your property, or collecting the open dues invoices from those folks that forgot about them, so that we can get caught up on the financial side.

We understand that this is a substantial change, but the reality is that it happened nearly nine years ago, and life has gone on. We will all adjust to the new reality, and if we work together as a community, there should be little impact to our daily lives. The kids still got to go trick-or-treating on Halloween, we all still got to wave at each other as we walked our dogs or collected our mail, and we will all still get to enjoy the holidays with our families, friends, and neighbors.

The Trustees express our sincere thanks to everyone that has sent in words of encouragement and support, when submitting their dues checks or information update forms, or just emailing to ask a question. If you have any questions, please send an email to trustees@heatherstonevillage.com. We wish all of you a happy and peaceful holiday season.

Sincerely,

Marilyn Szaraz

Tom Clark

Greg Szaraz

Russ Rancourt