

Adrienne Weatherly

From: Joseph Dodson
Sent: Thursday, April 15, 2021 8:54 AM
To: City Clerk
Subject: FW: Meridian City Council
Attachments: ArticlesofInc_Dunwoody_March2021.pdf; Scan.jpeg

Hello,

Please see the below email as an update from the Applicant regarding the Council's continuance to the upcoming hearing date of April 20th. Please add to the public record.

Thank you!

Joseph Dodson | Current Associate Planner

City of Meridian | Community Development
33 E. Broadway Ave., Meridian, Idaho 83642
Phone: 208.884.5533 |



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From: Michael Miller <michael@homefoundgroup.com>
Sent: Wednesday, April 14, 2021 3:58 PM
To: Joseph Dodson <jdodson@meridiancity.org>
Subject: To: Meridian City Council

External Sender - Please use caution with links or attachments.

Mayor and Council members,

Thank you for your time and consideration of our project, Ambles Run, located in Northeast Meridian. We respectfully followed the council's recommendation to meet with the neighboring HOA to try and find a resolution. We set up a meeting with Dale Hope, the property owner directly neighboring our project to the east, and Jeff Wilding, the HOA president. Dale asked if we would do 2 lots on the eastern side. He also does not want a fence along the border of our properties. The HOA president went on to say that they want the property owner to the north of our parcel to terminate the road on his property in a cul-de-sac. I have attached an image below of what they are looking for... It is outside our purview to make decisions for the neighboring developer or let him know whether ACHD/CityMeridian will agree to such a plan. **We were grateful for the chance to sit down together at a common table and attempt to find a path forward. It was a humanizing experience.** We did, however, ask that we be included in a vote on the 5 lot compromise, but were denied an invite to the HOA meeting that was held on April 13th, and again denied a vote in the decision on our land.

We have engaged with the legal council at Holland & Hart. Our lawyer maintains that we either are a part of the subdivision and therefore subject to the CCR's and have a right to vote, or we are excluded from both. They can't have it both ways. Furthermore the HOA has not legally existed until after our application was filed, casting into doubt whether the HOA has any hold, sway or jurisdiction over the parcel in question. Their lawyer filed their Articles of Incorporation with

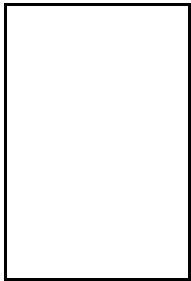
the secretary of state on March 12, 2021. I have attached the record below. I understand now why they never provided bylaws... they have not operated as a legally recorded non-profit for 30 years.

We haven't decided what to do with this information as yet. We are hopeful that our meeting in good faith with the Dunwoody point-people would suffice to come to a respectful resolution. As of the drafting of this letter, we have not heard back about the outcome of the vote. We believe the plan for six half-acre lots is a good one. It provides a good transition, good diversity of development for Meridian. What's more there is a market for these homes that is currently unsatisfied, and the plan honors the neighboring developments, as well as opens the door for 3 other developers. It is good for the neighborhood and the city. Two 1 acre lots is cost prohibitive. It would cost us money to develop the land with negligible returns for our time and investment. It would be cheaper to sit on the land, which would ostensibly leave all 15 acres landlocked.

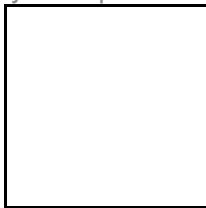
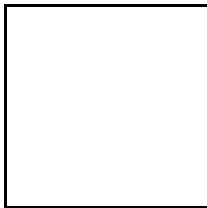
A higher judicial review of these findings may be in order. I would truly like to know how a judge would look at a homeowner being denied not only a vote but access to the meeting at which a vote about the future of the affected land would take place. Especially as that vote was conducted by an entity that has operated without legal sanction for 30 years. I appreciate the council's concerns about finding a diplomatic solution. We have continued to make reasonable concessions with regards to our Dunwoody neighbors- adjusting from an initial plan of 8 lots, down to 6, and potentially down to 5. We have operated in a spirit of cooperation and concern, making other considerations for the privacy and continuity of our neighbors in both Dunwoody and Vienna Woods.

It is currently April 14th and we have not heard word back from the HOA on their meeting and the subsequent vote on the matter. I look forward to a peaceful, respectful resolution. In the meantime I would like to provide these findings to Council in a timely manner as our impending hearing is only days away.

Best Regards,
MM

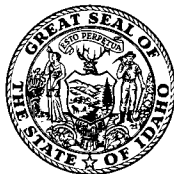


Michael Miller
Founder/Realtor, HomeFound
208-866-1487
www.HomeFoundGroup.com
Silvercreek Realty Group





0004206352

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ARTICLES OF INCORPORATION (NONPROFIT)**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$30.00

*For Office Use Only***-FILED-**

File #: 0004206352

Date Filed: 3/12/2021 11:32:47 AM

Articles of Incorporation (Nonprofit)		
Select one: Standard, Expedited or Same Day Service (see descriptions below)		Standard (filing fee \$30)
Article 1: Corporation Name		
Entity name		Dunwoody Homeowners' Association, Inc.
Article 2: Effective Date		
The corporation shall be effective		when filed with the Secretary of State.
Article 3: Purpose		
The purpose for which the corporation is organized is:		Homeowners Association
Article 4: Voting Members:		
The corporation		has voting members.
Article 5: Asset Distribution on Dissolution		
Upon dissolution the assets shall be distributed:		the residual assets of the Corporation (after all creditors of the Corporation have been paid), shall be distributed to the members prorated in accordance with their respective membership interests.
Article 6: IRS Designation		
Is this nonprofit a 501(c)3?		No
Article 7: The mailing address of the corporation shall be:		
Mailing Address		1842 E DUNWOODY CT MERIDIAN, ID 83646-6351
Article 8: Registered Agent Name and Address		
Registered Agent		TERRI PICKENS MANWEILER Registered Agent Physical Address 398 S 9TH ST STE 240 BOISE, ID 83702 Mailing Address
☒ I affirm that the registered agent appointed has consented to serve as registered agent for this entity.		
Article 9: Incorporator Name(s) and Address(es)		
Name		Incorporator Address
Terri Pickens Manweiler		398 S 9TH ST STE 240 BOISE, ID 83702
Article 10: Director Name(s) and Address(es)		
Name	Title	Director Address
Jeff Wilding	President	1842 E DUNWOODY CT MERIDIAN, ID 83646
Sandy Anderson	Secretary	1842 E DUNWOODY CT MERIDIAN, ID 83646
Lori Lewis	Vice President	1842 E DUNWOODY CT MERIDIAN, ID 83646

B0591-6060 03/12/2021 11:33 AM Received by ID Secretary of State Lawrence Denney



The Articles of Incorporation must be signed by at least one Incorporator.

Terri Pickens Manweiler

03/12/2021

Terri Pickens Manweiler

Date



N Locust Grove Rd

E Dunwoody Ct

E Dunwoody Ct

E Dunwoody Ct

St

N Locust Grove Rd

E Handel St

E Handel Ct

N Sch