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Sent: Wednesday, September 05, 2007 9:34 AM
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Subject: RE: burlingame issues and pictures

Diana

Thank you for your attempt to calm the waters. There is merit to your suggestion.

However, my position must be that the given the tone of recent emails and the threatened litigation the City of Aspen continue to perform under the contract as specifically written in its entirety.

While I personally would like to work with the homeowners to achieve common ends and have done so in the past that may no longer be a viable position.

Email screeds from some, unsupported claims of intentional mistreatment and disrespect, threatened litigation and veiled insinuations are not persuading me, for one, to act otherwise.

Regards

Jack Johnson

Diana Godwin Ettliger <dgodwin@krabacher.com> wrote:

I have a few suggestions that I hope are productive.

1. Perhaps the City should start up the Burlingame Owner meetings again periodically (as it has in the past) so owners have a voice and an opportunity to discuss these and other types of issues and be a part of resolving them.
2. The City should comply with statutory formalities and follow through with creating a functioning Homeowner's Association. The Burlingame Ranch common interest community exists by document trail only. A Board of Directors has not been appointed to govern the HOA, to be receptive to the concerns of and act as advocates for the homeowners. Some owners have owned property in the community for a year and a half and there has been no annual meeting of the members (or any HOA meeting), no current budget or financials presented to owners for approval, no construction updates, no agenda, no goals, no property management report, no voting, no action taken by persons who have fiduciary duties to the owners to keep owners informed and address owner concerns.
3. Since the City may not have resources to address Owner concerns (and is ultimately self-interested and financially and contractually constrained), perhaps the Board (when appointed) can appoint an owner advisory Committee to investigate/address/report owner concerns, negotiate with the City as to which items can or cannot be addressed, if