

## 2009 Daybreak Community Association

### Annual Meeting

#### Resident Questions and Answers

The Daybreak Community Association Annual Meeting was held on December 1, 2009. During the Open Resident Forum several questions were presented to the Management Company and the Board of Directors.

**Resident questions are noted in Black and responses are noted in Blue.**

What is the Board going to do about monitoring the short sales and foreclosures to prevent investors from purchasing in Daybreak?

Currently there is a process that is in place to prevent investors from purchasing a home in Daybreak. Amendment #3 States, No Unit purchased after March 13, 2007 may be leased until the Unit has been occupied by the owner for a continuous period of 12 months, and until satisfactory documentation of such continuous occupancy has been provided to and approved by the Board or the Managing Agent. All new homeowners must sign and notarize an Affidavit of Occupancy stating that they understand Amendment #3. A fine of 25,000.00 may be assessed to any homeowner for violating this regulation.

What is the Association doing to expedite the clean up of non-compliant properties in Daybreak.

The Association conducts weekly community wide inspections. Once a home is non-compliant the Association will begin the process stated in the Daybreak Deed Violation Resolution. All homeowners are entitled their due process. The property will continue through the process until their home is brought into compliance.

Why did the Association approve a resolution to extend the length of time a resident has to complete their rear yard?

All homeowner's must complete their rear yard within one year of occupancy. A homeowner can submit an extension to the Design Review Committee (DRC). The DRC may or may not approve the extension. The DRC Extension Resolution restricts the length of time the DRC can approve an extension and only if their home is maintained and improvements to their property have taken place. This Resolution was a recommendation from the DRC.

What is the process for Recreational Vehicles (RV) that are parking on the street, there is an excess around the community?

Any RV that is parked in front of a home longer than the approved time is subject to the Daybreak Deed Violation Resolution. RV parking has been hard to enforce around Townhomes, Condominiums and Green Courts. The Association does not have the ability to run a license plate and there for cannot identify an RV's owner. For 2010 the Association is contracting with a law enforcement agency to patrol the community. A law enforcement officer will have the ability to run the license plate, identify the owner and write a ticket. This will assist the enforcement of this policy and other parking violations.

The Board of Directors recently passed a resolution that extends the time an RV can be in front of a home from 4 hours to 24 hours. The RV and Trailer Parking Resolution will assist residents that are loading, unloading and charging their RVs or Utility Trailer. This resolution was a recommendation from the Covenants Committee. Due to the high number of appeals and complaints they received during the year.

Is there a plan for a restroom facility near Eastlake Beach? If so, who will cover the cost to build it, who will cover the cost of maintenance and will the location have resident input?

Yes, a restroom facility is included in the Lake Management Plan. The initial cost will be covered by Kennecott Land and after it is transferred to the Association the maintenance cost will be covered by the Association. This is the process for all Daybreak amenities.

The Eastlake Beach Resident Meeting was held on Tuesday, December 8, 2009 at the Community Center. This meeting was well attended and engaged residents in several discussions regarding decisions for the lake, including the location of a restroom facility.

Several empty lots around the Community are being used as dump sites and are not being maintained. Can the Association enforce compliance on a builder?

During the recent months the Developer has been working with the builders on the maintenance of empty lots. Several plots have been cleaned and are now being maintained. If any homeowner sees a lot that is not being maintained, please email the location to the Management Company. The Management Company will work with the developer in bringing the lot into compliance.

What is the \$9.00 increase for the 2010 Budget attributed to, and what cost cutting measures/procedures were used in preparing the budget?

For a complete breakdown of the 2010 Budget and to review the area's that were increased for 2010 please review the [Budget Presentation](#) and the [2010 Budget](#).

The Community has an excess of dog poop in the parks, open spaces and other common areas.

Any homeowner that does not clean up after their dogs can receive an Immediate Violation Fine of \$25.00. The Association must witness the violation or a resident can submit a picture of the violation for the fine to be issued. The Association provides doggie bags around the community for resident use.

Can we change the on street parking structure on Kestrel Rise to have no parking on one side of the street?

All of the streets in Daybreak are the property of South Jordan City. South Jordan City will need to approve parking on one side.

Can the Association bill the homeowners monthly instead of quarterly for their HOA assessments?

The billing is quarterly, but all homeowners have the option to pay monthly. A homeowner must be a full quarter ahead to make monthly payments. For more information on how to pay monthly contact the HOA Office at (801) 254-8062.

What can the Association do to prevent vandalism to the park that is located south of 10200 South? This park has been used for sledding, slip and slides and other uses. It is causing damage to the surrounding landscape.

This park has not yet been turned over the Association to maintain. Currently there is an irrigation leak that has attributed to the damaged landscape. This will be corrected prior to it being turnover to the Association. We ask that any resident that notices vandalism to contact the Association and/or South Jordan Police.

Can the Association increase security around the Skate Park in Eastlake?

During the summer months when the Skate Park was being used regularly we had increased security to patrol the park in the evening and night.

Several parks and open spaces in the Community are owned and maintained by the Association, can the Association post signs indicating "For Resident Use Only"?

All of the parks and open spaces in Daybreak are open to the general public and some parks do have signs that indicate the ownership and the code of conduct.

Currently the Legislature is discussing a bill that will eliminate the Community Enhancement Fund. If this bill passes how will LiveDAYBREAK be funded?

At this time there has not been a decision made on how LiveDAYBREAK will be funded. The Board of Directors and the Developer are currently working on preventing the bill from passing.

Oquirrh Lake is a great amenity and offers various activities to the residents. How will the transfer of the lake from Kennecott Land to South Jordan City affect the Daybreak residents?

It is the intent of the developer is to make the transfer as seamless as possible to the City and have minimal effect on the residents. Several areas around the lake will be owned and maintained by the Association. This will enable the Association to offer varied activities, events and programs to residents only.

What is the proposed salary increase for the HOA employees for 2010?

The Board of Directors has approved a 0-1% raise to employees. This raise will not be offered to all employees. For the 2010 Budget the Association will be adding 4 additional staff members; a Grounds Keeper and 3 Janitors for the Community Center. The addition of these staff member will offset the cost of several contractors that currently provide these services and will save the Association several thousand dollars during the year.

The events and programs in the Community are low attended. Can the Association cancel the events and programs to save money?

All of the events and programs are funded by Community Enhancement Fees not the monthly HOA assessments. LiveDAYBREAK was launched during 2009 and will offer a variety of events for 2010. The events and programs offered in Daybreak is a unique aspect of Community Living and is part of the developers' vision.