

Board of Directors

President Tracy

425.923.0480

Vice President Carl

360.793.4343

Vice President Mary

425.750.8933

Sky Harbor News & Events



Sky Harbor 's Next HOA Meeting!! [Same day, NEW PLACE]

We'll have an all members meeting on 10/26/06 at Sultan Middle School Commons. The City double booked us at City Hall, so we got the boot! We'll meet at 7:00PM at the Middle School (**301 High Ave, Sultan**). This is a very important meeting where decisions regarding the future of your neighborhood will be made. The budget will be up for vote, your home owners dues will be based on the outcome of the budget decisions.



Sky Harbor Web Site and Email

Sky Harbor residence are going to have their very own website. It is still a work in progress but you can preview the site at <http://www.sky-harbor.org>. This website will offer everything from a classified section, homes for sale/lease, a place to upload and view pictures, our CC&Rs and even a personal email address for each Sky Harbor home. This will be a great community tool to keep in touch with each other and to stay informed about our neighborhood.



Recycling & Yard Waste

There have been some complaints about yardwaste (grass clippings, etc.) being dumped in the common areas or natural growth protection areas (NGPA). There is a pickup service provided by Allied Waste that was designed for just this purpose. The give you a great big bin for only \$8.62 per month, and pick-up day is the same as garbage and regular recycling. Their phone number is 1-800-942-5965.

Also, we just found out that **shredded paper** is not supposed to be recycled with your regular recycling. You can compost it yourself, place in the yardwaste bin mentioned above, or lastly, put it in your regular garbage. The recycling company can not recycle it with the regular paper, glass, cardboard, and aluminum.



Parking and Garages

As we all know, the CC&R's state we need to park at least one car in our garage. They also state there are to be no trailers, boats, RV's, commercial vehicles (those with signage), non operating vehicles etc. parked in our drive-ways or on the streets for more than a 48 hour time period. The board has received complaints and will need to begin enforcing the rules including removal of the offending items. CC&R



Littering and Vandalism

We all want to take pride in our homes and pride in our neighborhood and that means we all need to do our part. Please help encourage your family to not litter and take an extra moment while out on a walk to pick up any garbage you might see. Garbage cans have been placed in the park to help make keeping Sky Harbor clean easier for everyone.

We have recently had the unfortunate experience of vandalism along the nature trail. The good news is the people who did it were caught and spent some time cleaning up the mess they made. Please work together to keep an eye out to prevent future acts of vandalism in the future.



Your Pets

We love them, but we must take care of them and follow all the rules so our neighbors will love them too. You must scoop poop (this includes picking up after your cats too!!) Don't forget we have a leash law in Sultan. Please remember, barking dogs are a nuisance to everyone, read section 6.21 of your CC&Rs (see attached). Bob Barker would also like us to add "Spay or Neuter you pets!"

Silt Fences, Planter Strips & Your Responsibility

Seattle Pacific Homes, under prodding from the board, has agreed to take down the silt fences throughout the development. They are planning on doing this in the fall.

Also this fall, SeaPac is going to be tearing up some of the areas that are in the City right-of-way that are full of clovers. In most cases, the right-of-way (between the curb and the sidewalk) in front of houses was planted with sod. Many places in front of NGPA or Open Space areas were left with the original hydro-seed, which promptly turned into the aforementioned clover. Sod will replace the clover.

There are some dead, dying, and missing trees in the right-of-ways. The developer (Barclays North) is **allegedly** responsible for restoring the trees according to the plans of the development before having their bond released by the City of Sultan. Unfortunately, the plans that the board have seen do not mention the manner in which the trees are supposed to be placed. The board will do whatever they can to persuade the City to pressure the developer to restore the trees. Wish them luck!



Tree Removal –

The board passed a motion to have some trees removed in the common areas. Two of the trees were a liability to people and property. The board decided that the association could be sued if any of them fell on nearby houses. And if they injured or killed someone, not only would we all feel horrible, we'd also be liable collectively for the incident. Some other trees in the park areas were half dead, and the board thought it would be better to take them out before they fell on park equipment or children. The board members particularly mourn the loss of the large maple on the corner of Cedar Court and 138th. If there is enough interest from homeowners and money in future budgets, we might consider getting a new tree to replace it.

Homeowners are in charge of maintaining the City right-of-way in front of their lots, as stated in the **Declaration under 6.16: "Lot Owners shall also be required to maintain, in a uniform manner, adjacent City right-of-way located between their Lots and the back of street curbs."** The other right-of-way's adjacent to the park and other common areas will be taken care of by the landscaping crews. They've been missing some areas because they were unaware of them. If they've been skipping areas near you, please notify the board, so that they can contact the landscapers.



Architectural Control Committee

Our CC&Rs [covenants, conditions and restrictions] require permission to make major changes to your property. The board of directors is not responsible for making these decisions. There is a special committee for making these decisions called the Architectural Control Committee [aka ACC]. This is outlined in section 6.4 of the Declaration. To make improvements during the “Development Period”, homeowners should have contacted the builder to get permission for their projects. Some homeowners did, and some did not. But now that the ACC is formed, homeowners intending to make future improvements should submit proposals for review and approval. You can go to the website and find the ACC application at www.sky-harbor.org. You can email Ron Bertholf at r.bertholf@comcast.net. If you don’t have email, you can call Ron as a last resort at (360) 793-3399. Please try him by email first if you can, so that he and his family can enjoy their family time. Ron will get your proposal reviewed by the rest of the ACC and they can review your application. Please plan ahead, as it may take a while to circulate your proposal to the other ACC members. At the time this was written, they already met and approved two proposals!

The language that lists what requires ACC permission is found mainly in section 6.4 of the Declaration. Other sections to look at are 1.2 (p), 6.9 through 6.14, and 6.19.

Message from the Board: We have received a few complaints about improvements that have gone on without oversight before and after Seattle Pacific Homes finished building. Because the ACC was not formed yet, there wasn’t much that could’ve been done. Most of these improvements would’ve probably been allowed or would have required minor changes. While we don’t want the ACC to be a overreaching body, we also respect the rights of all homeowners to expect a reasonable standard for the neighborhood’s appearance. It’s purpose is to make sure the neighbor next door to you does not build a carport in his driveway that will blow over into his yard during the next windstorm and sit there for three months.

Amendments –

There are some discrepancies between some of our governing documents. The board would like to change a couple of items and is asking for your input. They are also in contact with a lawyer who is reviewing the documents for free. Some of these issues may not require a vote. But in the event that they do, please consider them:

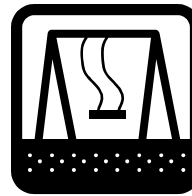
1. Directors. Currently there are only three directors. Directors are the only ones who vote at board meetings. They also carry out much of the tasks required to run the association. There is a lot of work to accomplish, especially at this early stage. The Bylaws only allow three directors, unless amended. The board would like to increase this to five. This may not require an amendment, due to discrepancies in language amongst the governing documents. But if it does require a vote, please consider it.
2. Officers. The Declaration requires that all Officers [ie. President, Vice Pres., Secretary, and Treasurer] be Directors. The Bylaws state that only the President is required to be a Director, thereby allowing non-directors to fill the other positions. The board would like to involve more people and would like to alter the Declaration to reflect the Bylaws. The board currently has two homeowners fulfilling the duties of Secretary and Treasurer and would like their appointment to be permitted by all the governing documents.
3. ACC. The Architecture Control Committee currently has no term length definitions, no process of removal, and no procedure for filling vacancies. The members were appointed by the board (under the rules in the Declaration), but there are no guidelines given after that. The board will look into drafting an amendment that defines these procedures so that the ACC membership will have clear roles in the association. This may require a vote also.

Residential Fencing

Many of us are all settled inside our homes and have begun working in our yards. For some of us this includes putting up a fence. Please make sure you are running your plans by the ACC as well as going down to The City of Sultan to obtain and pay for your fence permit. It is a simple process with a small \$15 fee. They will provide you with a print out of the Fence Standards Chapter 15.08 that you must follow when designing and building your fence. Please contact Craig Bruner with the City of Sultan at 360.793.2231 with any further questions. If you have already completed your fence



Tract 994 & Front Entrance and Play Area
mary



Section 6.4. Architectural Control. No building, garage, carport, storage shed, rockery, hot tub, or spa (including decks, patios or coverings for same), mailbox, sports court, landscaping device or object, wall, fence, outbuilding, pet house, masonry, signs, lamp post, swimming pool, or other Structure or improvement (hereinafter "improvement(s)") shall be placed upon any Lot, unless and until the construction plans and specifications have been approved in writing by the Declarant during the Development Period, or the Architectural Control Committee thereafter. No alteration of the exterior appearance (including, without limitation, the color of any buildings or structures) of any improvement shall be made without like written approval.

Section 6.9. Minimum Size Requirements/Minimum Sales Price/Height Restrictions. No building shall be allowed on any Lot except one single-family dwelling house, all for the use and occupancy of one immediate family and attendant bona fide domestic servants only, except that an auxiliary building may be constructed on a Lot if its designed and constructed as to be compatible in appearance with the main building and has been fully approved by the ACC. Said dwelling house shall have a fully enclosed living area, excluding attached garage or carport, which has a floor area of not less than 1700 square feet. No auxiliary building, with the exception of garages and carports, shall have a ground coverage in excess of three hundred (300) square feet. No dwelling house shall exceed two (2) stories (excluding the basement) or be more than the maximum legally allowed under Sultan Municipal Code. The above requirements do not supersede any governmental requirements that are more restrictive, and may be changed by the Declarant during the Development Period by written document recorded with the Snohomish County Auditor. The construction of residences shall also comply with the minimum floor elevations, if any, specified for each Lot on the recorded Plat. All residences and other 12 structures shall comply with all governmental setback standards and, if applicable, any further recorded setback restrictions imposed upon any Lot by this Declaration or an amendment thereto.

Section 6.10. Construction. All construction of properly authorized improvements shall be diligently pursued to completion thereof in a manner and at a rate reasonably consistent with building standards prevailing in the immediate area relating to high quality construction of a similar type, and in no event shall the period of construction of any improvement exceed nine (9) months from the date of commencement of construction to completion as to external appearance, including finished painting. No Structure or vehicle, other than a completed permanent dwelling house as contemplated by these restrictions and limitations, shall be used on any Lot at any time as a residence, either permanently or temporarily. No auxiliary building shall be deemed completed as long as the dwelling house is incomplete.

Section 6.11. Landscaping/Irrigation. The Owner of each Lot shall be responsible for the landscaping thereon. Except for Lots owned by Declarant or a Participating Builder, each Lot shall be originally landscaped in accordance with plans and specifications submitted to and approved by the ACC. All front yards and landscaping thereon must be completed within thirty (30) days from the date of completion of the building or Structure constructed thereon. In the event of undue hardship due to weather conditions, this provision may be extended for a reasonable length of time upon written approval by the Declarant or the ACC. Substantial changes to the originally installed landscaping shall be subject to approval by the ACC. All landscaped areas in public rights-of-way shall be maintained by the Declarant during the Development Period or the Association thereafter and may be reduced or eliminated if deemed necessary for or detrimental to City of Sultan road purposes. The City of Sultan is hereby authorized to enforce the Association's obligations in the preceding sentence, at the Association's cost and expense, which shall be paid within thirty (30) days following written demand thereof.

Section 6.12. Window Coverings. All window coverings within any residence shall be permanent in nature (e.g., other than sheets, blankets or towels), provided however, during the first thirty (30) days from the date of occupancy temporary window coverings may be used in bedrooms and bathrooms.

Section 6.13. Plantings and Fences. No hedge more than six (6) feet in height, nor any fence, wall or other similar Structure more than six (6) feet in height, shall be constructed, erected, placed, planted, set out, maintained or permitted on any Lot. All fencing and walls must be specifically approved by the ACC prior to their installation and obtain a fence permit from the City of Sultan if required. The ACC is free to adopt a fencing policy detailing acceptable styles of fencing if it deems appropriate. The location and height of all fences and other obstructions within an easement as dedicated to the City of Sultan on the recorded Plat shall be subject to the approval of the City of Sultan, in addition to the ACC. Fencing in Lot Owners' backyards that are adjacent to Common Areas shall be of a uniform design, color, material, height and location.

Section 6.14. Antennas. No television antennas, including satellite communication dishes, or such similar devices (other than "mini dishes" with a diameter of less than 24 inches placed in a location hidden from the road), radio aerials, ham radio broadcast or receiving apparatus shall be erected, maintained or placed on any Lot without specific written approval by the ACC. Rotary beams or other similar devices shall not be constructed on any Lot.

Section 6.19. Roofing Materials and Siding. All roofs shall be built in accordance with specifications as to type, style, color and other criteria as adopted by the Declarant or the ACC. Until such adoption, all roofing materials must be cedar shingles, shake, the or a minimum 20-year composition, and all siding shall be non-plywood type wood (beveled or grooved), vinyl, or masonry. The use of T1-11 siding is explicitly prohibited.

Section 6.21. Nuisance. Nothing shall be done or maintained on any Lot in Sky Harbor which may be or become an annoyance or nuisance to the neighborhood. No livestock, animals, poultry or fowl shall be kept on any Lot other than animals or birds of the type and species generally recognized as common household pets, such as dogs, cats, canaries and parakeets which are kept on said property solely as household pets, provided that no such household pet which is or becomes an annoyance or nuisance, in the sole discretion of the Board, shall thereafter be kept on any Lot. No dog houses, dog runs or dog kennels may be placed on any Lot unless they are screened from the view of other Lots in the Plat, Common Areas and the streets. All dogs which become a nuisance by barking at inappropriate hours shall be kept in the residence or garage from the hours of 9:00 p.m. to 7:00 a.m. so as to eliminate or minimize disturbances.

Section 6.23. Non-Permitted Parking. No boats, boat trailers, house trailers, campers, motor homes, or any part thereof, shall be stored or permitted to remain on any residential site or Lot for more than forty-eight (48) hours unless the same is stored or placed in a garage or other fully enclosed space, or is entirely screened so as not to be visible from any street and abutting Lots. All screening is to be approved by the Declarant or the ACC. Commercial vehicles (which shall include but not be limited to automobiles which display any type of commercial signage), disabled and/or non-operational vehicles shall be subject to the same restrictions. Upon forty-eight (48) hours notice to the Owner of a Lot where an improperly parked or stored vehicle, boat, or other equipment is located, the Association may have the item removed at the Owner's expense.

Section 6.25. Vehicle Storage. Each residence shall have an enclosed garage providing sufficient storage for at least one automobile. No garage shall be permanently enclosed or converted to other use without the substitution of another garage. Automobiles shall not be parked on a driveway or street in lieu of being parked in an available space in the garage. Garage doors shall be kept closed at all times practicable. Vehicles shall be adequately maintained to ensure that leaking fluids from the vehicles will not occur. If any leaking occurs on a driveway or street, the leaking shall be promptly cleaned and the driveway or street returned to its normal condition.