

NOTE: This is a couple of excerpts from a 2004 letter sent out to all Members at that time in regards to Covenant Code enforcement. Any italics are 2018 edits for clarification.

(2004) QUESTIONS AND ANSWERS TO COVENANT ENFORCEMENT

Excerpt 1

There are many questions being raised and circulated in regards to our covenants. You don't go far around here in Sunlight Waters (SLW) without hearing someone's opinion in regard to the subject.

Whether we do, or don't, like the existing covenants and restrictions is not really the issue at hand. The fact is that they are an existing restriction written into each and every one of our property deed(s).

Whether or not they are being obeyed and/or enforced has no impact on the fact that they exist.

This leads us to only three basic options.

- 1.** Have a meeting and have them amended and/or removed. With the present apathy that exists and the larger owner participation required by our covenants, this is almost impossible. However, when and where we can, we will continue to pursue the "amending" option.
- 2.** Continue as is and have a perpetual unresolved conflict within our community, or,
- 3.** Do what is necessary to enforce the existing covenants; and slowly but surely bring all properties into compliance.

There are some covenants that we probably would all agree should be changed. There are some others that we probably would disagree on as whether to keep as is or to change and/or delete.

In the light of these three options; and in the understanding of what the State of Washington, Secretary of State and our attorney have informed us in regards to the weight these covenants carry legally; we currently see no real option other than to do what these existing covenants direct us to do. That is to enforce them.

NOTE: For the sake of clarity and being as concise as possible, when referring to covenants or restrictions we are generically referring to our Declaration of Covenants and Restrictions as recorded in 1968 and 1993 and inserted into the deeds of all properties within the plat of Sunlight Waters.

Excerpt 2

What if I don't like the covenants?

Good question, but there is, only one answer. **Work to change them!!!** Otherwise, they are here to stay! They are inserted into our real property deeds. (Article V, Section 7 of Covenants) They are "inseparately appurtenant to tracts owned by the members" (Article III of Articles of Inc. and Article II, Section 2 of Bylaws).

Get involved and promote a required turnout of lot owners, at the annual meeting, to have a vote on these covenants. The required two-thirds majority of all lot owners will only happen if enough people get involved and are present either in person or by proxy.

The simplest thing would be, to get at least the voting requirement lowered if nothing else. We then could work on the individual Articles and Sections on a line item basis.

This is what your board tried to do at our last annual meeting, *(2004 Edit add in here)* but because of insufficient time and limited manpower, we just were not able to get the information out in time to be successful. Even with manpower and time, it will never be successfully changed, till we get two-thirds participation of owners.

NOTE: There is one avenue of relief from the two-thirds requirement. This comes at each 10-year anniversary date of the covenants. The earliest date for this will be 2008.

Or now in our case this 2018 Annual meeting