

## Dennis Greany

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**From:** Dennis Greany  
**Sent:** Thursday, July 16, 2020 6:02 PM  
**To:** Eagle Canyon  
**Subject:** RE: McFarlane Properties Lot 9 & 10

Dear Roy & Shannon,

Thank you for your input into the issues of the Corporation. We appreciate it. My responses to your questions, are in blue type.

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To the ECR-MRR Board:

We ask that you read our concerns, requests and demands with the understanding and empathy of a fellow resident. We ask that you would consider our points individually, with respect for our persons, wishes and goals, and also with respect to the residential community as a whole. Our properties are our dream becoming reality. Our properties are our blood, sweat, and tears literally. Our properties are not only ours but our legacy. Consider that we anticipate not only growing old but dying in our home here - this is truly our Forever Home.

I believe this sums up the feelings of many in our community, including me.

- We ask that the road along our Properties on Arrow Dr not be sprayed. We will do our own spraying. We have planted shrubs and trees that we do not want compromised. We will not be spraying along Arrow Drive at any time soon. Keep in mind however, there's a 30' road easement from the center of the road on each side of the road. The entire easement is 60'. Landowners are prohibited from building, storing items, fencing or making other changes to the land that is under the easement.
- We do not give permission for anyone to cut or remove trees along the road of our Properties on Arrow Dr. As previously stated, there is a 60' easement on all roads. The Board has no general intention of removing trees, brush, etc from easements. We believe the roads should stay as natural as possible. However, we will be removing trees and brush which interfere with road repair and maintenance or pose a safety risk. Although we consult with Landowners prior to removing trees or brush, the Board doesn't need the permission of the Landowner to do so. The easements provide the authority to do this.
- We request the fees be returned to the hundred dollars per lot. We absolutely contest the 300% increase. I understand and respect your position. However, the Board legally established the assessments and they will stand.
- We request a five and ten year plan regarding the road construction and maintenance. In addition, after the majority of the work is accomplished how will the fee be reassessed? The Board members serve a three-year term. We cannot develop a road plan that goes beyond our position terms. We will be posting a road plan for this fall and 2021 in the near future. The assessment is based on the budget. I'm attaching another copy of the budget because apparently you didn't receive a copy.
- We demand 72 hour notice for anyone coming onto Arrow Dr along our Properties to inspect the road for changes, maintenance, and/or other construction. The road easements provide for full and free access of all landowners and their guests. A property owner cannot restrict travel on roads that pass over their land. Lori and I have almost a mile of road running through our land. We cannot restrict travel on that road.
- We do not give permission for our land to be photographed. We do not want anyone stopping on the road along our Properties to take pictures for the use of construction. We formally request copies of all pictures previously taken by members of the board and/or road committee. Landowners do not have authority to restrict activities on the road easements. There is nothing in the bylaws, covenants or any state or federal law that give you the authority to restrict activities on the easements. Board members and road committee members will be photographing various roads as part of fulfilling their responsibilities.
- We require detailed plans of any and all changes regarding future road construction on Arrow Drive along our Properties.

We need sufficient time to review and discuss such plans. Our concern is our land will be negatively impacted by the proposed changes to Arrow Dr. Given the specific challenges regarding water pooling and draining at the points of construction we demand a say. We are comfortable with the current condition of the road, and are extremely concerned about the impact of road construction on our property beyond grading. The bylaws and covenants of the corporation do not provide for approval of road repair and maintenance by individual landowners. This is a Board function. Additionally, the easements provide the authority to make repairs and maintain the roads. There is no work planned for Arrow Drive that will impact any surrounding land. Moreover, the water problem that you are probably referring to is the runoff of your upper land onto the road and then further drainage to your lower land. The fact is that the runoff from your land is affecting the road, not the road affecting your land. We will consult Landowners over issues regarding roads that cross their land. Additionally, we will consult with construction experts to ensure we are repairing the roads properly.

- Regarding businesses that bring in non-residents we feel to protect the community they should be obligated to have and maintain proper business insurance that protects the community. The Board does not have authority to compel Landowners to carry insurance. I would bet the people you are referring to are well insured. They are solid people and not stupid enough not to insure their investment. The people we need we need to worry about most are the Class B purchasers. Case in point, Eagle Canyon Drive -2019. A Class B purchaser decided to fill a portable generator at 95 degrees outside temperature, with the hot generator running. The generator caught on fire. The brilliant land purchaser didn't have a fire extinguisher. Result- a forest fire that cost \$250,000 to extinguish and Mark Pieloch's lot next door burned to the ground. Guess what? They had no insurance. Most of the timber on Mark's property was destroyed. It will take 100 years before his property is back to what it was. Oh, by the way, they didn't burn any of their timber. Responsible people have insurance, irresponsible people don't.

- Regarding rental vacation type businesses (like AirB&Bs: <https://www.airbnb.com/rooms/31385137> & <https://www.airbnb.com/rooms/16643714> ) we believe it is in the best interest of the community that they submit an Emergency Plan. I.E, how will emergency services be called in the event of a fire as locations of cell signal along the road may not be known to such persons. The Board has no authority to require anyone to submit an emergency plan. Moreover, if we were to require that, we would have to require that of all landowners.

- Businesses that bring in non- residential vehicle traffic to the community should be obligated to pay an additional road maintenance fee. The Board has no authority to do this. The Board is required to develop a budget and then establish an assessment that meets the budget's needs. The assessment must be applied equally to all Landowners.

- For the good of the community we request the Will Purchase Land signs be taken down. There are no restrictions in the bylaws or covenants that restrict a Landowner from erecting signs. As for the good of the community, I'm getting a little sick of people using this phrase who have done zero for the community. The Board of Directors members have not only invested a huge amount of their time, but in many cases their own money. Lori and I replace both entrance signs to the community at our expense and with our labor. I purchased the QuickBooks software so that we could get the LOC finances in order. I purchased and paid for the cloud desktop so that all LOC records and finances would be available for generations to come. I've put 200 hours on my tractor blading and plowing roads. I printed, mailed and paid for all the postage for the letter we sent out, as well as all of the invoices we sent out. Beka paid for the website, built it and posted all the documents and information on it. Mark has provided legal counsel so that we operate the LOC correctly. Come on Roy, what have you, or the others complaining, done for the community?

We purchased our properties knowing the condition of the roads, the conditions of our properties and others. We purchased our properties with the intent to live out the rest of our days here - not as an investment to be sold. We knowingly made decisions based on the condition of the community at the time. Just as you knew the condition of the roads and properties, you should have known that you were part of a LOC and there were easements on the roads. When Lori and I purchased our two lots, we obtained all easement documents, water rights documents and did a title search before we signed on the bottom line. Just as you knew what you were getting as far as roads, you knew, or should have known, about the LOC, Bylaws, easements, etc.

We specifically didn't buy properties in town or on the grid. We wanted and continue to want the lifestyle this area and community offered when we were first introduced to this area. We purchased our properties fully comfortable with the lifestyle they offered and required. We knowingly accepted the conditions of the roads, the unobtrusiveness of the then road crew and lack of meddling or involvement from outside persons. We purchased our land for the same reasons. However, we also knew that there were certain restrictions to our ownership.

We have an objection to the stress brought on since the meeting in September of 2019. The meeting concluded with assurance that the good of the community, more so the residence, would be foremost, however the opposite has become apparent. Lack of communication on the part of the new board, the severe hike in fees, the threatening tone of the letter

informing the community of the fee increase and the over all lack of regard for individuals has contributed to the feelings of unease. At this time we do not believe what is in the interest of the board is in our best interests. [If you are experiencing and unease, it's not because of what the board is doing. It's a lack of factual knowledge.](#)

This is not a personal attack. And we ask that you would be honest, objective, and consider our position and perspective. [We don't take this as a personal attack. Neither are our responses to you, a personal attack. The Board is governed by facts, rules and laws.](#)

The majority of residents of this community do not want major changes, nor feel comfortable or confident in the direction the board wants to go. Using road maintenance fees to pay board members, levying liens on the residents of the community, paying to have residents' properties cleaned up, and holding the many responsible for the few monetarily-wise is not acceptable. [The idea that, the majority of Landowners feel this way, simply is not true. I communicate regularly with Landowners and only a small minority feel this way. The Board was presented with a petition earlier this year. The petition consisted of the Lanes and one petitioner. I have responded to over 100 emails and letters and have less than six that were upset. In fact, more people said it's about time something was done than people who are complaining.](#)

The bottom line is this Board of Directors is going to fulfill its duties, unlike the LOC of the past. Some people will like it, some won't. That's just life. We will have disagreements and differing opinions, but we must all work together as a community.

In closing, I see you're a disabled veteran. Thanks for your service. I am too. Vietnam.

Thanks again for your input. We will be talking soon.

*Dennis*

**SAFETRAC SOLUTIONS, INC**



**Dennis W Greany**  
**Client Services Administrator**

[www.safetracsolutions.com](http://www.safetracsolutions.com)

[dennis@safetracsolutions.com](mailto:dennis@safetracsolutions.com)

**Telephone:** (406) 727-9000

**Facsimile:** (406) 727-9002

**Toll Free:** (800) 820-2930

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**From:** Eagle Canyon <mr\_ecrc@yahoo.com>

**Sent:** Thursday, July 16, 2020 2:22 PM

**To:** Dennis Greany <dennis@safetracsolutions.com>

**Subject:** Fw: McFarlane Properties Lot 9 & 10

----- Forwarded Message -----

**From:** ROY MCFARLANE <[roy.mcfarlane@hotmail.com](mailto:roy.mcfarlane@hotmail.com)>

**To:** [mr\\_ecrc@yahoo.com](mailto:mr_ecrc@yahoo.com) <[mr\\_ecrc@yahoo.com](mailto:mr_ecrc@yahoo.com)>

**Sent:** Monday, July 13, 2020, 06:08:44 PM MDT

**Subject:** McFarlane Properties Lot 9 & 10

Roy and Shannon McFarlane  
3253 Arrow Dr. Cascade. Mt. 59421  
Lot 9 & 10

To the ECR-MRR Board:

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Sincerely and with respect,  
Roy and Shannon McFarlane

Sent from my iPhone