

On the following pages you will find the transaction of emails that took place during the month of September 2010 between the Boards of Charleston Place Community and WyndSOR at Charleston. They have been copied and pasted, complete with headers from the email server, as proof of their authenticity. They have been arranged in the order by which they were mailed.

These emails began on September 2, a week after the Boards of Charleston and WyndSOR held their final joint Board meeting. That meeting on August 25th was the last of a series of face-to-face meetings where both Boards attempted to reach agreement on a proposed joint recreation association.

Email #1: 9/2/2010

from **Paul Piermarini** pppier@yahoo.com

to greghoa@bellsouth.net,
dennis1250@gmail.com,
patrickmurphy95@gmail.com,
charlotte888@gmail.com,
mattzavadil@gmail.com

cc Cynthia Rima
<mikecynrma@bellsouth.net>,
Chris Smith <smittynco@bellsouth.net>, hide details
Estes Boring <ezb56@bellsouth.net>, 9/2/10
Sandra <sanbar2@bellsouth.net>,
Curtis Moore <curtis_moore@bellsouth.net>

date Thu, Sep 2, 2010 at 8:00 AM

subject Notice to Charleston HOA Board Members

mailed-by yahoo.com

signed-by yahoo.com

To Charleston HOA Board Members:

The WyndSOR HOA board members voted to decline our participation in the Charleston Place Recreation Association. We agreed the Bylaws for the Charleston Place Recreation Association would make our homeowners mandatory in this association. For ten years, we have made our homeowners pay for amenities they do not own and we feel we cannot do this to our homeowners any longer. We agreed to abide by our current Covenants and Bylaws of WyndSOR at Charleston HOA, which states we pay for the common areas within our property only.

If any of WyndSOR's homeowners would like to continue utilizing the amenities, it would be on a voluntary basis and they would need to contact a member of your board to set up payment (to be determined by your board). Our members will be notified that participation in your association would be on a voluntary basis and at your discretion. They would be told this would be a separate amount from their mandatory dues to WyndSOR HOA.

Please ensure your board has obtained all vendor information, outstanding bills, future bills, and notices from Liberty and any other vendor providing services to your facilities prior to December 31, 2010 as WyndSOR will no longer contract Liberty for any services associated with our HOA or pool/amenities area. This will become the responsibility of Charleston HOA to maintain all of its own assets, including landscaping and upkeep of Charleston 's owned property.

If you feel more comfortable calling a meeting to discuss the specifics, we will be happy to meet with you.

Best Regards,

WyndSOR at Charleston HOA Board Members

Email #2: 9/10/2010

--- On **Fri, 9/10/10**, **Matt Zavadil** <mattzavadil@gmail.com> wrote:

From: Matt Zavadil <mattzavadil@gmail.com>
Subject: To the WyndSOR HOA Board
To: "Paul Piermarini" <pppier@yahoo.com>
Cc: greghoa@bellsouth.net, dennis1250@gmail.com, patrickmurphy95@gmail.com, charlotte888@gmail.com, "Cynthia Rima" <mikecynrima@bellsouth.net>, "Chris Smith" <smittynco@bellsouth.net>, "Estes Boring" <ezb56@bellsouth.net>, "Sandra" <sanbar2@bellsouth.net>, "Curtis Moore" <curtis_moore@bellsouth.net>
Date: Friday, September 10, 2010, 3:09 PM

WyndSOR HOA,

We received your email regarding WyndSOR's desire to no longer continue negotiating the formation of the Recreation Association. We feel this is unfortunate because an established Recreation Association would greatly benefit both communities and we feel that an alliance with you is still very possible.

Over the past few months, we have been in meetings with you to negotiate the terms of the bylaws for the Recreation Association. At the last meeting, we presented what we wanted and made it clear that all desired changes were open to negotiation. The response was an email from you indicating that your HOA board no longer wanted to continue the negotiation process and that you have voluntarily removed the WyndSOR community from the recreation area. We are still willing to try to reach an agreement, but there must be compromise on both sides. We understand your position regarding the deed and would like to continue discussing this matter. We feel that an agreement can be reached which both parties will find acceptable and which allows us both to stay in integrity with our homeowners which we represent, but it's going to take a little more work on both our parts.

I think it's important for all of us to have some compassion here. We are coming together to attempt to correct a mess that was created long ago and there are things we don't know about the matters we are trying to resolve. This understandably is additionally complicated by feelings of resentment and a strong desire for security for home values and fairness. But we don't have to succumb to the weight of this. We can seek outside help if we need to. There are mediators who can help us, or perhaps an impartial person who has vast knowledge and experience in HOAs, contracts, real estate, etc. With a little help we can make this work. This is not over unless we just want to give up.

If you are willing to move forward with us, please let us know so that another meeting can be scheduled.

If you are not willing to meet and try to work out an agreement, we will take over full responsibility for the amenities on January 1, 2011. Should this be the case, in the next month we will need to meet with you to work out the specifics of closing out the finances for 2010 with regards to the amenities, as well as the handling of a couple legal issues so we may both go our own way in a clean way.

Sincerely,

Charleston HOA

Email #3: 9/12/2010

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

From: Paul Piermarini <pppier@yahoo.com>

To: greghoa@bellsouth.net; dennis1250@gmail.com; patrickmurphy95@gmail.com; charlotte888@gmail.com; Cynthia Rima <mikecynrima@bellsouth.net>; Chris Smith <smittynco@bellsouth.net>; Estes Boring <ezb56@bellsouth.net>; Sandra <sanbar2@bellsouth.net>; Curtis Moore <curtis_moore@bellsouth.net>; pppier@yahoo.com

Sent: Sun, September 12, 2010 9:19:50 PM

Subject: Re: To the Charleston HOA Board

Charleston HOA,

We are replying to the Charleston HOA Board and would like a response from a Charleston Board member. We respectfully point out that Matt is a technical advisor to the board and not a member of the Charleston HOA Board. After careful consideration the Wyndsor at Charleston HOA board has decided that, in order to move forward, we would require the deed to the amenities be signed over to the Wyndsor at Charleston HOA. This is not negotiable. We would become the sole proprietor of the amenities and would ensure they would be well taken care of. Charleston homeowners would have the ability to purchase pool/amenities memberships through Wyndsor.

style="line-height:1.2em;outline-style:none;outline-color:initial;">

Should you find this acceptable or unacceptable please respond by September 18th, 2010 so that we can prepare to present this to our homeowners.

We would be happy to discuss this further.

Best Regards,
The Wyndsor at Charleston HOA

Email #4: 9/16/2010

From: Patrick Murphy [mailto:patrickmurphy95@gmail.com]

Sent: Thursday, September 16, 2010 9:14 PM

To: Cynthia Rima; Smith, Chris; Estes Boring; Finland, Sandra; Smith, Adam; Piermarini, Paul

Cc: Charlotte; Greg Lisiakowski; Mary Lou Dennis; Matthew Z

Subject: Response to email

To the Wyndsor Board,

We were surprised and perplexed by your recent email that states you are willing to move forward only if Wyndsor is deeded the amenity property in full. However, we also read that you are willing to meet to discuss this further. We would very much like to do that, although we'd like to do so in the presence of an experienced and licensed mediator. After researching the option of mediation, and given the emotional nature of this issue both our HOA's face, we believe this is the most productive manner in which to proceed with moving forward.

Most likely mediation will only take one session of several hours. The mediator would meet with your Board and our Board separately so that all issues could be discovered. Then they would bring us together and help us reach an agreement. This process could happen in their office complex or in a place of our choosing.

Both of the mediators we spoke with are also very knowledgeable of HOAs, real estate, ownership rights, contracts, etc. The advantage of this is that they can offer suggestions to both sides in order to help us consider things we may not have thought of. (They can only "offer" suggestions though, as they are bound by oath to stay completely neutral).

There is a cost for this and it would around \$500 - \$600, which typically is split between both parties. We feel this a small price to pay for the advantage this could be for both of us to reach agreement.

Both mediators are willing to receive a phone call from your Board so they can share with you the same information they shared with us. Please find their contact info below. Please feel free to suggest any other licensed mediator you may find.

Please respond by September 25th to let us know if you are willing to meet with us in this manner.

Thank you,

~ Charleston HOA

Licensed State of Georgia Mediators:

Michelle Knight

[678-333-1451](tel:678-333-1451)

<http://www.knightmediation.com/index.html>

Amber Weldy

[678-622-4447](tel:678-622-4447)

http://www.centerforlegalsolutions.org/ neutrals/displayprofile.php?ID_KEY=2358

Email #5: 9/24/2010

----- Forwarded message -----

From: **Cynthia Rima** <cynrima@bellsouth.net>

Date: Fri, Sep 24, 2010 at 10:33 PM

Subject: WyndSOR HOA Response to Charleston HOA

To: "Dennis, Mary Lou" <dennis1250@gmail.com>, "Lisiakowski, Greg" <greghoa@bellsouth.net>, "Murphy, Patrick" <patrickmurphy95@gmail.com>, "Scott, Charlotte" <charlotte888@gmail.com>, "Zavadil, Matt" <mattzavadil@gmail.com>

Cc: "Boring, Estes" <ezb56@bellsouth.net>, "Finland, Sandra" <sanbar2@bellsouth.net>, "Moore, Curtis" <curtis_moore@bellsouth.net>, "Piermarini, Paul" <pppier@yahoo.com>, "Rima, Cynthia" <cynrima@bellsouth.net>, "Smith, Chris" <chris.smith719@bellsouth.net>

Dear Charleston Place HOA Board Members:

We are not willing to meet with you regarding mediators. We appreciate the offer but we want to be clear where we stand. The only way we will move forward and continue discussion regarding your amenities is if the property is deeded to WyndSOR HOA. **This is the only option.**

If the property for the amenities is deeded to WyndSOR HOA, we would continue to participate in mandatory HOA dues for the amenities for all our homeowners. The pool and recreation areas would operate as they do today with Charleston HOA members being voluntary and WyndSOR HOA members being mandatory.

The WyndSOR at Charleston Covenants clearly states we have a financial obligation to maintain the common areas in WyndSOR only. We have never had any legal or financial obligation to Charleston's amenities; nor have we had a right to these amenities. Our attorneys have assured us of our legal and financial obligations. **We cannot continue to have our homeowners pay for assets we do not own.** We need your final decision on the deed matter by October 1st or the offer is withdrawn and we will pursue other options.

We are no longer being managed by Liberty Community Management. All mail should be directed via email or regular mail to:

WyndSOR @ Charleston Community Association
P.O. Box 614
Dacula, GA 30019

Thanks and regards,

WyndSOR at Charleston HOA Board Members

Email #6: 9/30/2010

----- Forwarded message -----

From: **Patrick Murphy** <patrickmurphy95@gmail.com>
Date: Thu, Sep 30, 2010 at 6:08 PM
Subject: Response To Previous Email
To: Cynthia Rima <mikecynrima@bellsouth.net>, Chris Smith <smittynco@bellsouth.net>, Estes Boring <ezb56@bellsouth.net>, "Finland, Sandra" <sanbar2@bellsouth.net>, curtis_moore@bellsouth.net, "Piermarini, Paul" <pppier@yahoo.com>, "Smith, Adam" <gawhitetail@bellsouth.net>
Cc: Charlotte <charlotte888@gmail.com>, Greg Lisiakowski <greghoa@bellsouth.net>, Mary Lou Dennis <dennis1250@gmail.com>, Matthew Z <mattzavadil@gmail.com>

Wyndsor at Charleston Board Members,

It is unfortunate that you are unwilling to meet with a mediator to continue negotiations to form a Recreation Association that works for and protects both of our communities' interests.

You have made it very clear to us where you stand, and that you are unwilling to continue discussion regarding our amenities unless we deed the property to you, thereby making the Wyndsor at Charleston Community the sole proprietor.

We are not willing to do that as we feel it is not in the best interest of the Charleston Place Community Homeowners.

Unless we hear from you by October 4th, we will begin taking the steps to remove the corporate listing of the Charleston Recreation Association, Inc. and discontinue any related existing insurance policies.

It saddens us that it has come to this. We always believed that through negotiation a solution was possible which included co-management and co-ownership that would have worked in a positive way for both our communities.

Sincerely,

Charleston HOA Board Members