

Meeting with D.H. Friedman Properties

Regarding The Flats at VillaRosso

Date: Friday, December 9, 2016 2:00pm – 4:00pm

Location: Offices of Burns, Figa & Will, P.C.

Attendees:

VillaRosso Board of Directors: Charles Kellogg, Carl Sullivan, Susan Wirt, Susan K.; Kathy Sabin was absent

Manager: Rob Williams

Herrick K. Lidstone, Jr., Burns, Figa & Will, P.C.

David Friedman, D.H. Friedman Properties, LLC.

Brian J. Connolly, Otten Johnson Robinson Neff + Ragonetti PC

The meeting started at approximately 2pm at Herrick's office. The following points were discussed:

- On the oft-mentioned solution of turning the building around so that the main entry was on the west side to accommodate people walking to and from guest parking: Mr. Friedman couldn't understand why VR would want the back-end of such a close-in building permanently facing the property from a visual esthetic perspective. And from an architectural design viewpoint, doing so would destroy the intended complimentary look of the front facades facing each other, ruining the desirable aspect of the two building's mutual design.
- Mr. Friedman agreed to re-visit the idea of a back door on the west side of the building after his own architect measured the length of the walk from the parking area in the back to the front door: 280 feet. Thinking practically, nobody is going to walk that distance when parking is available on VR property only a few feet from the front door. The problem with a door on the west concerns elevations: ground level at the back is closer to the basement than the first floor and the natural slope of the land falls away as steps from a door try to catch up to meet at ground level.
- It was acknowledged by Friedman that a written agreement for the new HOA to contribute maintenance costs of the shared property will be drawn up and included in the new HOA's Declaration as an assessment to be paid annually to VR's reserve fund.
- It was pointed out by VR Board that parking and egress over VR's exclusively owned driveway and parking spaces was still a major concern. Friedman suggested to put up

signs and tow offending vehicles as he does in his commercial parking lots. But VR's objection is that the added supervision and continuous enforcement required to police this behavior would constitute an unrelenting and undue burden on VR and VR's management, and towing the cars of people who essentially are next-door neighbors does not promote a healthy kind of neighborly state of mind. Mr. Friedman acknowledged this in the end and offered to include a new easement agreement which would provide for annual compensation to the VR HOA to mitigate this situation. Additionally, the agreement will include shared insurance costs.

- Logistical concerns regarding the construction activity will be dealt with in turn and is also the responsibility of the City of Denver and the Planned Building Group and/or other arms of DTC.
- Friedman pledged total cooperation with his office and the construction manager's office and the superintendent on the job with VR and attend to any problems that crop up during construction.
- Anticipated construction start date has been pushed back to March of 2017 as the third submittal to the Planned Building Group was only done on the 5th of December.